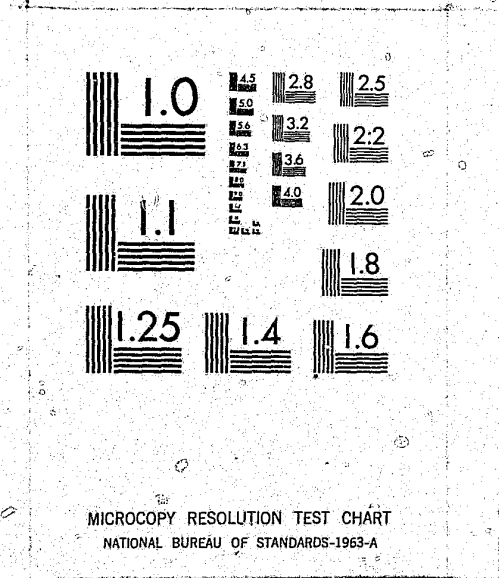


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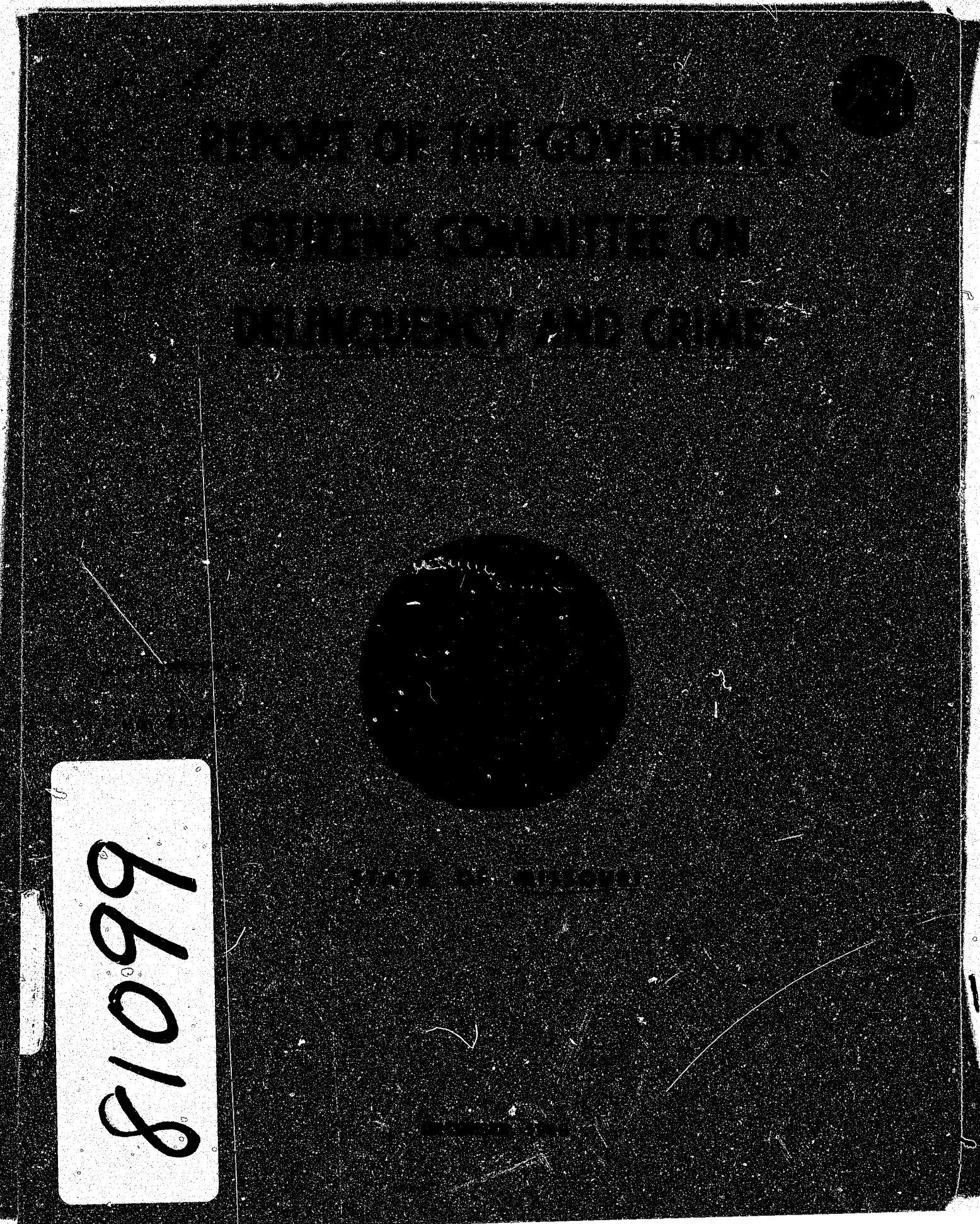
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"Many of the recommendations made in this report will require the expenditure of additional state money and many are, we frankly acknowledge, costly endeavors. Nevertheless, we proceed under the assumption that the State of Missouri, which is striving for the attainment of quality in other fields of public concern (e.g. education, mental health, roads and highways, etc.), is similarly desirous of achieving a quality status in the field of law enforcement and the administration of criminal justice."

Report of the Committee, p. 12

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GOVERNOR'S CITIZENS COMMITTEE ON DELINQUENCY AND CRIME

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GOVERNOR'S CITIZENS COMMITTEE ON DELINQUENCY AND CRIME

December 13, 1968

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Governor Warren E. Hearnes
Capitol Building
Jefferson City, Missouri

Dear Governor Hearnes:

We are pleased to submit to you herewith the final report of the Governor's Citizens Committee on Delinquency and Crime, which was commissioned by you on December 19, 1966 to conduct studies directed toward the reduction of delinquency and crime in Missouri.

The Committee immediately recognized that, in view of its limited tenure to January, 1969, it would be necessary to limit its activity to several areas of the criminal justice system. This was done with complete awareness that attention to other important areas of this system is required at the earliest practicable time.

The Committee decided to concern itself with police administration, the juvenile offender, jails, misdemeanor courts, probation and parole and adult correctional institutions. These areas comprise sufficiently broad, strategic and essential phases of the justice system to provide a major determination of

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Missouri's resources, needs and goals.

Public hearings were held in St. Louis on November 13 and 14, 1967 and in Kansas City on January 25 and 26, 1968. The hearings were a valuable means of eliciting concerns, problems and recommendations from informed professional and lay citizens. The hearings also provided the Committee an opportunity to inform the public of its concerns, activities and plans.

The work of the Committee was supported by substantial contributions of staff time and facilities from the St. Louis Bureau for Men, an agency of the St. Louis United Fund and Health and Welfare Council; contributions of staff time from other agencies represented on the Technical Advisory Committee; an appropriation of \$10,000 by the 74th General Assembly; and two grants from the U.S. Department of Justice, Office of Law Enforcement Assistance, totaling \$40,000.00. We further received the counsel and assistance of the several state agencies responsible for law enforcement and the administration of justice in Missouri.

It is the conclusion of this Committee that Missouri has a serious and increasing problem with delinquency and crime and their control. We do not believe the situation is hopeless or the trend irreversible. Positive, comprehensive, and definitive action is needed to build our system of law enforcement and administration of criminal justice into an effective force. The "system" is the key to the containment of delinquency and crime. It is the apparatus we rely on to protect us from illegal activities. Crime in the streets is the number one

domestic problem in the minds of the citizens of this state and this country. It should be first in priority of effort and support, financial and in other ways. This is not now the case.

We cannot wait for the quality of life in Missouri to be improved to the optimum level that many believe is the answer to delinquency and crime. There are many good reasons for social reform, but no precise statistical evidence of the extent of its impact on delinquency and crime. In any event, the most massive program of social reform would take many years to influence the make-up of our society.

This is certainly not intended to belittle nor protest the need for substantial governmental assistance to education, welfare, employment, housing, transportation, and other programs in a long term attack on the conditions in which crime and delinquency breed. However, the justice system demands immediate attention and support to insure the preservation of the other benefits. The system does not have an alumni association, a parent-teachers association, or a lobby that can be depended upon for a forceful and timely presentation of its interests. The present deterioration of the system may be due, in large part, to that lack.

For over a hundred years we have permitted law enforcement and the administration of criminal justice to operate largely without our concern, without our interest or knowledge, and most importantly, without our support. Police departments, too often, are under-manned, under-trained, under-equipped and under-paid.

There are 550 police agencies with 7,500 officers in Missouri ranging in quality from poor to excellent.

Our courts at all levels are overloaded with cases. Procedures and manpower have not kept up with increased volume. Judges are performing administrative duties for which they are not trained, experienced or equipped. There is an urgent need for a survey of court procedures in Missouri to develop more efficient and business-like procedures using such tools of modern technology and management competence, as, for example, computers, microfilm, modern filing methods, improved and standardized forms, etc.

City and county jails are worn out and overcrowded. We frequently lock up those who need not be confined and release those who should be. Too often, the difference is the defendant's ability to pay a bondsman.

Our correctional system is inadequately equipped to rehabilitate offenders. Guards are poorly paid, training and education of inmates is limited to less than 25% of the inmate population, probation and parole officers are responsible for many more offenders than they should handle, employment of discharged offenders is difficult to accomplish and we lack the necessary range of alternative institutions for committed offenders.

Prevention and control of juvenile delinquency is a massive job both in numbers and by the very nature of the problem. We must commit ourselves to an all-out assault on the problem --- in our homes, our schools, and our social and community agencies. Juvenile courts, juvenile institutions and parole agencies must

be provided with adequate support and resources to cope with the problem. We must make every effort to reduce the number of young people who are "tagged" with a record in their early teens and spend the rest of their lives either living up to it or trying to live it down.

We believe Missouri, in planning for improving the quality and effectiveness of delinquency and crime control, should rely primarily on the existing agencies, services, and institutions that constitute the criminal justice system. The system reflects accumulated knowledge and experience resulting in a continuity of governmental responsibility shared by the executive, legislative and judicial branches of our state government. As stated before, it would be specious and invalid to claim the system, in its current state, is equal to the demands being made on it. However, the framework is adequate in breadth, depth and capacity to accommodate modern, progressive and effective programs. The plan developed in Missouri should be one that will justify and support additions, modifications, and innovations in the system to make it capable of coping with current and future needs.

This Committee has striven to make an intelligent evaluation of Missouri's criminal justice system and to create a climate of public opinion which will be conducive to improving this system. There is much more to do and we commend to our permanent successor agency, the Missouri Law Enforcement Assistance Council, the charge we accepted "to work toward the reduction of delinquency and crime in the state of Missouri." We offer our findings, our experience and our continued support to the Council in implementing the following recommendations and in all of its future work.

The statistical data reported herein are intended to provide graphic trend and incidence information covering periods of several years. These data are not nearly as valid as we would desire. However, they are the best available. If they prove nothing else, it is that there is an urgent need for the development of a data collecting, interpreting and disseminating system for the justice system. We cannot plan intelligently without accurate and meaningful information concerning our problems. The present extensive array of local and state computer resources should be evaluated to determine their capacity for use with delinquency and criminal data for planning and operational purposes.

Finally, we make this general observation which relates to the entirety of this report. Many of the recommendations made in this report will require the expenditure of additional state money and many are, we frankly acknowledge, costly endeavors. Nevertheless, we proceed under the assumption that the State of Missouri, which is striving for the attainment of quality in other fields of public concern, (e.g. education, mental health, roads and highways, etc.) is similarly desirous of achieving a quality status in the field of law enforcement and the administration of criminal justice.

Respectfully submitted,

GOVERNOR'S CITIZENS COMMITTEE ON
DELINQUENCY AND CRIME

Thomas F. Eagleton
Lt. Gov. Thomas F. Eagleton
Chairman

RESUME OF THE COMMITTEE'S REPORT AND RECOMMENDATIONS

Missouri has a serious and increasing problem with delinquency and crime and their control.

Real progress in meeting this problem can be achieved by immediate action to build our system of law enforcement and administration of justice into an effective force.

High priority must be given to this effort by government at all levels, by private enterprise and by individual citizens.

We must work to prevent the cycle of repeated and progressively more serious delinquent and criminal acts which too often begins with an individual's first experience with the justice system.

Reliable data about delinquency and crime are woefully inadequate for planning, programming or budgeting purposes.

Substantial improvement of the justice system will require the expenditure of substantial sums. Yet the inadequacies of the present system exact a far greater cost, not only in dollars, but also in the sufferings experienced by the victims of crime and in the wasted lives of those who are never successfully discharged from the system.

Police

Local police services must be integrated on a metropolitan basis to cope with present conditions.

Statewide police services must be expanded and improved to meet current and future needs.

Recruitment and training of police personnel throughout

the state must be coordinated and raised to acceptable minimum standards, which must be mandatory.

Jails

Most jails in Missouri are old, inadequate, and dangerous.

Most individual counties cannot afford to operate a safe, decent and modern jail.

In most jails inmates sit in idleness, despair and isolation from the community.

Children are confined in most jails in Missouri.

Limited use of release on personal recognizance keeps many inmates in jail who could safely be released.

Records relating to confinement are poorly kept and data are not reported or analyzed for use in planning on county, regional or state levels.

Misdemeanant Courts

Approximately 70,000 misdemeanor cases are filed in Missouri each year.

Nearly 90% of the sentences imposed are fines, probation is used in about 6% of the cases and jail sentences imposed in 4.5% of the cases.

50% of the Misdemeanant Courts do not have pre-sentence investigation services available.

Only 27% of the counties in Missouri have probation officers to perform probation work.

Two-thirds of the judges of Misdemeanant Courts think probation-parole service should be provided by the State of Missouri, 2% think the counties should provide it and 32% do not think this

service should be provided at all.

Adult Correctional Institutions

The state penitentiary at Jefferson City is obsolete and inadequate.

The Training Center for Men at Moberly will house over 900 inmates when construction of a new unit is completed, but there remains a great need for additional modern facilities.

55% of the total inmate population are between the ages of 17 and 25. Education and training programs must be expanded if these young men are to acquire skills that will enable them to lead useful, productive lives after release.

The institutional population is becoming more difficult to handle due, in part, to increased use of community-based correctional treatment of more tractable offenders.

Personnel recruitment and retention are major problems. Pay scales are not competitive with private industry.

State Board of Probation and Parole

The State Board of Probation and Parole has a higher number of offenders under supervision than are confined in adult state institutions, 4,152 to 3,272.

The Board suffers from the disabilities that are endemic to the field of corrections --- inadequate salary schedules, insufficient staff, and increased responsibilities.

The St. Louis Circuit Court Probation Department was integrated into the State Board of Probation and Parole in July, 1968, following a recommendation of consolidation by this Committee. This move will save the City of St. Louis approximately \$300,000 annually.

Juvenile Offender

The Division of Juvenile Delinquency Services, U. S. Childrens Bureau, is completing work on the first statewide comprehensive study of the juvenile offender. The final report is expected by the end of 1968.

SUMMARY OF RECOMMENDATIONS

The Committee has found there is a great need for accurate data respecting all areas of our system of law enforcement and administration of justice in order that operations and planning may be conducted intelligently and efficiently. Accordingly, we recommend that there be established a data gathering, interpreting and disseminating service for the entire justice system.

In the particular areas which the Committee studied, it recommends that:

Police

1. The following police services be integrated into one unit each for the Kansas City Metropolitan area and the St. Louis Metropolitan area:
 - a) Police training academy
 - b) Crime laboratory
 - c) Police recruitment
 - d) Crime record depot
 - e) Riot control program
2. A single emergency call number 911 be adopted.
3. A mandatory statewide law enforcement training and standards system be created to qualify all persons authorized to preserve the peace and make arrests.

4. Academic training for police personnel be provided for and encouraged.
5. Unnecessary limitations on police recruits such as residence, narrow age range, and certain physical qualifications be modified.
6. Police salary scales be raised to a level consistent with private enterprise and other government service having comparable qualifications, duties and responsibilities.
7. Regulations governing recruitment, entry and transfer of specialists should be flexible to encourage retention and enlistment in police service of a wide range of skilled personnel from other fields.
8. Police cadet programs should be developed to create a reservoir of potential police recruits.

Jails

9. Legislation be enacted to establish minimum standards for all jails and lockups consistent with those of the American Correctional Association.
10. The State Department of Corrections be given the authorization and responsibility for the development of a jail inspection service.
11. The jail inspection service, in addition to other duties, should develop a system of recruitment, orientation and training for jail employees.
12. The State Department of Corrections be empowered and have the duty to develop a system of regional jails throughout the state for detention of accused persons and correctional

treatment for sentenced offenders.

13. Approximately 50 jails be closed as soon as adequate consolidated facilities are available.
14. Work and training programs be developed for all prisoners.
15. Citizens advisory committees be appointed for each regional jail.
16. Legislation or a Supreme Court rule be adopted to authorize release of defendants on their own recognizance.

Misdemeanant Courts

17. Misdemeanant Courts be required to adopt a uniform method of court record keeping and reporting to a central state agency.
18. A program for orientation and training for all misdemeanor court judges be developed and implemented.
19. The State Board of Probation and Parole should be authorized to provide service to all misdemeanor courts in Missouri, at the discretion of the courts.
20. Legislation and, to the extent of the Supreme Court's authority, a Supreme Court Rule be adopted to provide for the release of defendants on their own recognizance.

Adult Correctional Institutions

21. A new maximum security institution be constructed for the purpose of confining the approximately 350 men for whom a maximum security environment is required.
22. The statutes governing correctional and penal institutions be reviewed and revised so as to meet modern day needs.
23. Expanded personnel training programs be provided for development of high level supervisors from within the correctional system.

24. Increased salary inducements be provided to facilitate the recruitment of professional, medical and social work staffs, including psychologists.
25. Vocational and industrial training opportunities for the great number of young adults now coming into the correctional system be expanded.
26. Plans be made for the complete replacement of penitentiary complex now located in Jefferson City within five years.
27. Missouri should consider legislation for an interstate compact with contiguous states for exchange of prisoners for service of sentences.
28. Future plans for Missouri corrections should enable coordination and joint use of state institutions and major correctional facilities of metropolitan areas in the state.

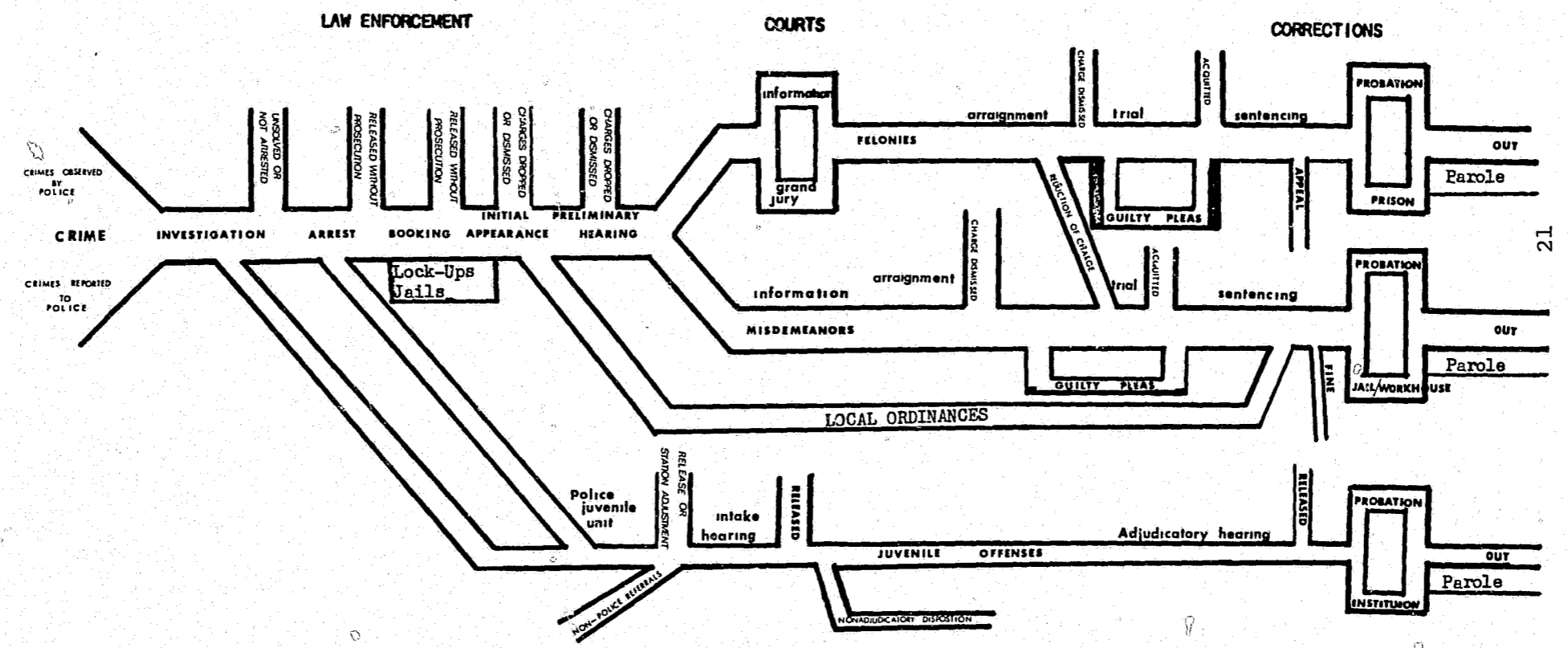
Probation and Parole

29. The State Board of Probation and Parole be enlarged, or in the alternative, parole hearing examiners be provided.
30. Salary schedules be improved to more effectively recruit and retain capable personnel.
31. The number of staff be increased in order to achieve a reasonable ratio of offender to officer.
32. A Pre-release Center for Parolees be developed.
33. Missouri should become a member state in the Interstate Compact on Detainers to provide a means of resolving a large number of the detainers or "hold" orders placed against inmates by other jurisdictions.
34. A systematic review, revision and modernization of the substantive criminal laws of Missouri be undertaken.

SCHEMATIC CHART

The Schematic chart of the Missouri Criminal Justice System is intended to portray the System as an entity. It shows the typical, chronological and procedural elements and alternatives provided by the system. The most important value of the chart is its ability to indicate the continuous, close relationship and interdependency that is required of all elements if the system is to function effectively. The chart denies a simplistic conclusion that any one element in the system is more important or more responsible for delinquency and crime than any other element.

**MISSOURI'S
CRIMINAL JUSTICE SYSTEM**
(Adapted from *The Challenge of Crime in A Free Society*)



SECTION A

POLICE

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In view of the shortness of its official life, the Committee on Police established priorities for its areas of concern. These concerns were: 1) Metropolitan area planning; 2) Establishment of a single, uniform police telephone number; 3) Statewide intelligence; 4) Statewide criminal record repository; 5) Training and recruitment of police; and 6) Civil disorders.

These priorities were established because the immediate needs in these areas were apparent and, because they were apparent, solutions to them would more likely meet with approval and implementation by policy making police personnel and the political subdivisions involved.

These areas are all treated in detail in the report of the President's Commission on Law Enforcement and the Administration of Justice (hereinafter referred to as the report of the President's Commission). Hence, the final decisions of the Committee and not the rationale will be given. The area of training and recruitment will be discussed in greater detail as future legislation is anticipated.

The Committee recognizes that its recommendations will require much study and cooperation. It therefore recommends that the Missouri Law Enforcement Assistance Council be given the task of continued statewide planning for crime control.

1. Metropolitan Area Planning

The Committee accepts the tradition of local control of police functions.^{1/} It also believes that local control must be understood in terms of crime conditions today. It therefore recommends, as

^{1/} In St. Louis and Kansas City the Police Boards are by state statute, appointed by the Governor. They are residents of the respective cities and they are policy making bodies.

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a start, the integration of facilities and services where both reason and need so dictate. Specifically, the Committee recommends:

- A. One police training academy for the St. Louis area and one for the Kansas City area.
- B. One crime laboratory for the St. Louis area and one for the Kansas City area.
- C. One recruitment agency for the St. Louis area and one for the Kansas City area.
- D. One major crime record depot for the St. Louis area and one for the Kansas City area.
- E. One integrated riot control program for the St. Louis area and one for the Kansas City area.

These recommendations should be but a beginning for future use of integrated services.

2. Standard Police Telephone Numbers

The Committee in close cooperation with the Southwestern Bell Telephone Company has agreed on the use of 911 (S.O.S. International Distress Call) as a standard telephone number for police. The Bell System in Missouri has given the Committee detailed plans for the St. Louis area. Costs for such a service will need much study and agreements must be reached with the political divisions involved. The use of a single, uniform police number in specified areas confirms to recommendations of the President's Commission and the American Telephone and Telegraph Company.

3. Statewide Criminal Intelligence System

Members of the Committee met with Governor Hearnes and

explained the need for such a system. The State Highway Patrol, by Executive order of the Governor, was told to set up this service within its department.

This new service will collect, analyze, screen and disseminate criminal and subversive intelligence data to other police bodies.

4. Central Records System and Repository for all Criminal Records

An intelligence system is impossible without a central criminal records system. Moreover, a central records repository will be of great value to all law enforcement agencies in the State. Governor Hearnes, by executive order, has asked the State Highway Patrol to set up a central records system within its department. The Committee further recommends that a statewide computer based information file be established under control of the State Highway Patrol. There is almost no limit as to what can be listed in such a system. Stolen cars, guns, missing persons, property, such as office equipment (typewriters, adding machines, etc.) are but some of the information that can be stored and made immediately available.

This service will tie in with computer systems already operated by police departments in St. Louis, Kansas City, and by the State Highway Patrol, and with the Federal Bureau of Investigation's computer systems containing nationwide data.

5. Recruitment and Training of the Police

There are approximately 7,500 full time law enforcement officers in Missouri. In addition, there are approximately 6,000 licensed watchmen, company guards, private detectives, and the like, many of whom have been granted power to arrest under certain

prescribed circumstances by local ordinance.

These men and women have the duty and responsibility for protecting life and public and private property in the State of Missouri. Law enforcement officers must carry out their duties in such a way as to protect the constitutional, statutory, and judicial safeguards of our people.

In the report of the Task Force on the Police, the President's Commission concluded that policing a community is one of the most complex responsibilities confronting any governmental agency.^{2/}

Many police agencies are without established standards as to the physical, academic or character qualifications required for good law enforcement. Many police agencies are without training academies or facilities and programs for training. In these departments, training consists of on the job, learn as you go experience for newly appointed officers. Regarding training for supervisory officers, only the Missouri Highway Patrol and some of the larger metropolitan departments have such a training program for officers who are assigned command duties.

Police service today must be competent. Experience indicates that a high school education and subsequent training in modern police methods and techniques are minimum requirements.^{3/}

A profession cannot grow without high professional standards and it is clear the law enforcement profession must improve and upgrade itself by requiring certain minimum standards for the selection and training of those who are required to carry out the duties of the law enforcement officer.

^{2/} President's Commission on Law Enforcement and Administration of Justice. Task Force Report: The Police, p. 121.

^{3/} Ibid., p. 126.

Recognizing the need for selection standards and for aid to law enforcement agencies in training and administrative problems, twenty-eight states, including our neighboring states of Iowa, Illinois, Tennessee, Arkansas and Oklahoma, have enacted legislation that establishes statewide standards for selection and training of law enforcement officers. These programs are of particular value to smaller communities which do not have staffed police academies, training aids, or research personnel needed to supply the data and information regarding modern police services.

States having such a program make no charge to the individual departments for state technical assistance services. Some subsidize local police departments to enable them to secure such services.

Costs to the state to provide for such programs range from \$100,000 to \$1,500,000 annually. Generally, it has required about one year after the enactment of appropriate legislation to set up the program of statewide services.

Some state programs have mandatory provisions that require all law enforcement agencies to comply with minimum standards; other programs depend upon voluntary compliance. All such programs appear to have been favorably received both by law enforcement agencies and by the public.

There has been prepared for submission to the next Missouri General Assembly in January, 1969, a proposed bill to be known as the Missouri Law Enforcement Standards and Assistance Act^{4/} to provide that:

1. Police recruit selection standards be set as to:

^{4/} See Exhibit 15, p.85 "Missouri Law Enforcement Standards and Assistance Act."

- A. Physical qualifications
- B. Educational qualifications
- C. Character qualifications

2. All recruit police officers be required to receive a basic course of training upon appointment to the police service.
3. A basic course of supervisory training be made available, on a voluntary basis, for command officers.
4. A statewide training bulletin be disseminated to all law enforcement agencies.
5. Statewide police training seminars on current problems be held as needed.
6. A police services unit be established to assist local departments with law enforcement administration problems at the request of the local department.

The training and education of law enforcement officers is the single most effective means for upgrading the quality of police service throughout Missouri. This can be encouraged in several ways. There should be available to young men committed to a career in law enforcement financial assistance for educational purposes in the form of loans which may later be forgiven if they remain in the police service. Those already in law enforcement should have an opportunity to take time off for further study designed to improve their proficiency. Leaves of absence with pay should be made available to officers showing promise of future leadership to permit them to attend colleges or special leadership

training courses so that they may become more effective leaders as rapidly as possible.

A start in this direction has been made by the enactment by Congress of the Omnibus Crime Control Act of 1968 which makes federal funds available for some of these purposes. Programs of this kind need to be expanded greatly, however. They facilitate recruitment and help to produce policemen who are more broadly educated, technically proficient, sensitive to problems of community relations and the rights of individuals and, hence, more highly respected by the people they serve.

Vacancies exist in many police departments, some of which would not be adequate in size even if fully staffed to effectively meet their grave responsibility for maintaining law and order in the community. Recruitment is hampered by the provision of inadequate salaries, which also contributes to a high turnover, particularly among younger officers. Geographic limitations for selection of police recruits, prevailing age limits for recruits, and standard height and weight requirements all unnecessarily limit the available pool of police service candidates.

Recruitment of personnel to serve in specialty and supervisory positions requiring professional qualifications is restricted by statutes and service regulations which, among other things, prohibit transfers from one department to another.

Although the duties of a police officer require a basic education along with a knowledge and understanding of principles of law and the social sciences, present regulations in some areas

of Missouri permit the recruitment of persons who may lack even an elementary education. Police officers must also have the ability to act calmly and rationally, even in situations of extreme stress, yet there are police departments in Missouri which require little or no screening of candidates for emotional stability or for the character qualifications so necessary to meet the many temptations involved in police work.

It is apparent from the experience of many police departments that training programs for all police department personnel better qualifies them for the police service. Likewise, supervisory training has been most beneficial to command officers. A state-wide police bulletin to all law enforcement agencies will provide them with information regarding the latest techniques in police investigation along with a summary of court decisions which affect police investigation. A state operated planning and research service which would be available to all law enforcement agencies upon request will provide assistance and guidance --- especially to the smaller departments -- to enable them to develop a professional police service regardless of the size of the department or the limited resources of the community.

The Committee, therefore, recommends that:

1. Geographic limitations on the recruitment of police personnel should be abolished. Restrictions on residences of police officers should be liberalized wherever possible without jeopardizing the efficiency of the police force.
2. Existing salary scales should be substantially upgraded in

line with the professional standards and responsibilities which police officers are expected to meet. Provision should be made for special increments to recruits with pre-service college backgrounds.

3. Height and weight requirements for police personnel should be broadened in order to expand the pool of available candidates and the age limits for candidates should be reduced to twenty years for men with two years of post-high school police science training.
4. Existing legislation and Civil Service regulations should be modified so as to permit entry and transfer of trained officers in specialty and supervisory positions from one police department to another, or from private enterprise. Pension programs must be reconsidered to allow such transfers.
5. The completion of at least a four-year high school education or its equivalent should be mandatory for all police candidates, and candidates who successfully meet physical, criminal record and general information requirements also should be thoroughly screened for emotional stability.^{5/}
6. Pilot projects should be established in the development of police cadet programs wherein young men assist police officers while undergoing on the job training which can eventually lead to their becoming full members of the police force.
7. Special efforts should be made in police recruitment among newly discharged members of the armed forces.
8. There be introduced into the next session of the Missouri General Assembly legislation to provide for minimum standards

for selection and training of police recruits in Missouri, for a voluntary training program for law enforcement officers and supervisory personnel, for a police information bulletin and for a statewide police planning and research service. A proposed bill entitled, Missouri Law Enforcement Standards and Assistance Act^{6/} is included in the appendix to this report.

9. Standards of recruitment and of training should be mandatory for all police including special police, licensed watchmen, and private police who are authorized under Missouri law to perform law enforcement duties.
10. All police departments should be encouraged to enable their officers to take advantage of the provisions of the Omnibus Crime Control Act of 1968 which authorizes grants to assist such officers to further their education in the field of law enforcement and the administration of justice.

6. Civil Disorders

Recent events in Missouri, as well as in other parts of the nation, lend emphasis to the need for the adoption and implementation by responsible law enforcement agencies of programs designed to meet the threat of civil disorders. Such programs must insure that officers are thoroughly trained and have the necessary equipment to quell such disorders and to protect lives and property that may be endangered.

An adequate program should also include measures which aid in advance detection of situations which may result in such disorders

^{6/} See Exhibit 15, "Missouri Law Enforcement Standards and Assistance Act."

along with plans for preventing their occurrence, where possible, or minimizing their effect through prompt remedial action.

The Missouri Law Enforcement Assistance Council has received a grant of \$186,000 to be used to assist local agencies in meeting these problems --- the first grant made to this state under the Omnibus Crime Control Act of 1968.

This Committee recognizes that the causes and treatment of problems surrounding the subject of civil disorders are many and complex, deserving of treatment in a separate report rather than being treated in a summary fashion. We therefore urge the cooperation of the various agencies having responsibilities in this area with the work of the Missouri Law Enforcement Assistance Council under the federally funded program mentioned previously.

Law Enforcement Planning and Standards Committee

Isaac Gurman - Chairman

E. I. Hockaday - Superintendent, Missouri Highway Patrol

Curtis Brostron - Chief of Police, St. Louis, Mo.

Clarence M. Kelly - Chief of Police, Kansas City, Mo.

Edmund C. Burke - Chief of Police, St. Joseph, Mo.

Mickey Owen - Sheriff, Springfield, Mo.

Scott Wright - Attorney, Columbia

Henry A. Fitzgibbon - Consultant to the Committee on Police

SECTION B

JAILS

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A comprehensive and detailed study of jails was previously made and reported.^{7/} The following resume and recommendations are taken from this report.

RESUME

1. Jails in Missouri are old, inadequate, ineffective and dangerous.
2. Most individual counties cannot afford to operate a safe, decent and modern jail.
3. Jail inmates sit in idleness, despair and isolation from the community.
4. Children are confined in most jails in Missouri.
5. Limited use of release on personal recognizance keeps many inmates in jail, who could safely be released.
6. Records are poorly kept and not reported nor analyzed for use in planning on county, region or state level.
7. Leadership on the local, county or state level to develop a good jail system has been virtually absent. County officials and citizens do not concern themselves with the operation of their county jail or its inmates.

RECOMMENDATIONS

It is recommended that:

1. Legislation be enacted to establish minimum standards for all jails and lockups consistent with those of the American Correctional Association.
2. The State Department of Corrections be given the authorization and responsibility for the development of a jail inspection service.

^{7/} See Exhibit 16, "The Jails of Missouri", A Report for the Governor's Citizen's Committee on Delinquency and Crime.

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3. The jail inspection service, in addition to other duties, should develop a system of recruitment, orientation and training for jail employees.
4. The State Department of Corrections be empowered and have the duty to develop a system of regional jails throughout the state for detention of accused persons and correctional treatment for sentenced offenders.
5. Approximately 50 jails be closed as soon as adequate consolidated facilities are available.
6. Work and training programs be developed for all prisoners.
7. Citizens advisory committees be appointed for each regional jail.
8. Legislation or a Supreme Court rule is needed to authorize release of defendants on their own recognizance.

SECTION C
MISDEMEANANT COURTS

A survey of the misdemeanor courts and their ancillary services was previously made and reported.^{8/} The following recommendations are taken from that report.

It is recommended that:

1. Misdemeanant Courts be required to adopt a uniform method of court record keeping and reporting to a central state agency.
2. A program for orientation and training for all misdemeanor court judges be developed and implemented.
3. The State Board of Probation and Parole should be authorized to provide service to all misdemeanor courts in Missouri at the discretion of the courts.
4. Legislation and, to the extent of the Supreme Court's authority, a Supreme Court Rule are needed to provide for the release of defendants on their own recognizance.

^{8/} See Exhibit 17, "The Missouri Misdemeanant Court Survey, 1967", A project of the Governor's Citizens Committee on Delinquency and Crime.

SECTION D
ADULT CORRECTIONAL INSTITUTIONS

Several members of this Committee and the Technical Advisory Committee visited adult correctional institutions to observe them and inquire in detail about their operations during the period covered by this report. Official reports made to the Committee by the Director of Corrections on February 20, 1967 and June 28, 1967 are included in the appendix.^{9/} The Director of Corrections also appeared before this Committee at public hearings held in St. Louis and Kansas City and provided additional information concerning corrections problems in Missouri.

A continuing problem is the age of the major penitentiary at Jefferson City. Some of the buildings still in use were completed in 1836. The antiquated buildings spread over forty-seven acres of multi-level terrain make operations difficult, but aggressive steps have been taken to improve the physical plant. Three large old buildings, including one major housing unit, have been demolished and removed. Housing units have been altered to provide for more decent and comfortable living quarters. During the two years from June, 1966 to June, 1968, the population inside the walls of the Penitentiary was reduced from 2,000 to 1,450. Major changes were made in the food service plant and the hospital has been modernized and staffed at least to minimal standards. From a part-time doctor three years ago, the present staff includes a medical officer administrator, two female graduate nurses and a total of ten consultant medical specialists.

The Training Center for Men at Moberly, Missouri opened in

^{9/} Exhibits 18 and 19

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January, 1963 has been fully integrated into the Missouri Corrections system. At the time of this report, an additional housing unit for 300 men is three-fourth's complete and when occupied will enable the transfer of still more men from the Main Penitentiary. At the Reformatory for young men at Algoa, all of the former open barracks type dormitories have been modernized to provide single rooms for the 450 young men.

In 1966, 1967 and continuing into 1968, an average of 200 men have been assigned from the honor facilities to work with the State Park Board in improving and maintaining its facilities and with the State Conservation Commission in improving the state's natural resources.

It is recognized by the Department of Corrections that there is a need for new facilities. The Seventy-fourth General Assembly approved planning funds for a new compact prison for approximately 350 men who must be housed in a maximum security situation. Plans are now being developed and a request for funds for construction of this facility will be presented to the Governor for his consideration and, if he deems it appropriate, inclusion in his budget presentation to the Legislature in 1969. The Department of Correction's purpose for this institution was given in the following statement:

"To separate from the general population of the Missouri Penal Institutions the hardened, incorrigible prisoners who represent a constant threat to existing institutions and to other inmates. This maximum security facility for 350 prisoners will remove from the Penitentiary and the medium security prison at Moberly most

of the inveterate gangsters, drug addicts, criminal sex offenders and those with behavioral patterns that give rise to continuously disturbing elements leading to restrictive methods and procedures that are detrimental to the other inmates in the correctional system. With these types of inmates removed from the regular institutions, gross restrictive measures can be modified to handle efficient programs of rehabilitation for those who are more deserving of the state's consideration.^{10/}

Other state agencies and the Department of Corrections have been coordinating an aggressive drive to expand the academic and vocational opportunities for prisoners after studies showed that 55% of the total prison population is between 17 and 25 years of age. More than 200 inmates earned high school diplomas in 1967. Early in 1967, the Department of Corrections began a program with the Vocational Rehabilitation Division of the Department of Education which has resulted in a current enrollment of approximately 200 men in institutional vocational training programs with follow-up support from the Vocational Rehabilitation Division after men are released until they obtain gainful employment.

On the negative side, more aggressive long-term prisoners have been received by the Department during the past five years. Nearly 300 men are serving life terms. An especially troublesome problem that cannot be solved with the present facilities is the protection of forty to fifty men who are labeled as "informers" or who have testified in court against men who are now confined in the same

^{10/} See Exhibit 20, Proposal for New Maximum Security Prison

prison. The proposed new maximum security prison will improve this situation to some degree.

Personnel recruitment continues to be a major problem, especially in the guard and professional caseworker classifications. Pay increases of approximately 46% have been made across the board during the past three years, but even this has not brought the general base pay of prison employees to the level of comparable occupations in commercial and industrial activities.

It is recommended by this Committee that:

1. A new maximum security institution be constructed for the purpose of confining the approximately 350 men for whom a maximum security environment is required.^{11/}

2. The statutes governing correctional and penal institutions be reviewed and revised so as to meet modern day needs.

3. Expanded personnel training programs be provided for development of high level supervisors from within the correctional system.

4. Increased salary inducements be provided to facilitate the recruitment of professional, medical and social work staffs, including psychologists.

5. Vocational and industrial training opportunities for the great number of young adults now coming into the correctional system be expanded.

6. Plans be made for the complete replacement of penitentiary complex now located in Jefferson City within five years.

^{11/} See Exhibit 20, Proposal for New Maximum Security Prison

7. Missouri should consider legislation for an interstate compact with contiguous states for exchange of prisoners for service of sentences.

8. Future plans for Missouri corrections should enable coordination and joint use of state institutions and major correctional facilities of metropolitan areas in the state.

SECTION E

PROBATION AND PAROLE

The State Board of Probation and Parole is the primary agency for community-based correctional treatment and control of convicted felony offenders in Missouri.^{12/}

The Board is currently responsible for supervision of 4,152 offenders. This is the first time since it was established in 1937 that the Board has had a higher number of offenders under supervision than the 3,272, who are confined in the state institutions for adults. This condition is consistent with the experience in many other states and is a desirable trend in the treatment of offenders.^{13/} A direct result of this trend, however, as indicated in the report on Adult Institutions, is to create a more difficult situation for institutional management by increasing the percentage of intractable inmates in the institutions.

The December 1, 1967 Interim Report of the Governor's Committee on Delinquency and Crime recommended that the St. Louis Circuit Court Probation Department should be consolidated with the State Board of Probation and Parole.^{14/} Legislation was enacted in the First Special Session of the legislature for that purpose and the consolidation became effective July 1, 1968. This action

^{12/}See Exhibit 21, "Report For Governor's Committee on Delinquency and Crime" State Board of Probation and Parole, March, 1967, for a description of the Board's authority, functions, resources and goals.

^{13/}See Exhibit 9, p.73 for trend 1963-1967.

^{14/}See Exhibit 14, Interim Report by Governor's Citizens Committee on Delinquency and Crime, December, 1967.

will result in a savings of approximately \$300,000 a year for the City of St. Louis. It will also provide more uniform and effective probation and parole services for the courts and the state.

Several gaps in resources and other areas of concern were brought to the attention of this Committee. It is recommended that appropriate consideration be given:

1. To enlarging the Board of Probation and Parole or providing for Parole Hearing Examiners. The present three member Board is not of adequate size to meet the increased parole hearing work load and to administer the Board's field services.

2. To improving salary schedules, in order to more effectively recruit and retain capable personnel. The Board of Probation and Parole has not been able to compete with private industry or other governmental agencies for qualified staff. The Board is losing officers to other jurisdictions after they are trained and gain experience. The Board is investing a substantial amount of time and effort in providing in-service training for staff but much of the value of this effort is negated by staff loss.

3. To increasing the number of staff required to achieve a reasonable ratio of offender to officer. A ratio of 50 offenders per officer would require adding 19 officers. This ratio is higher than the recommendations of the President's Crime Commission of 35 cases per officer, but it does not appear excessive now and can be reduced if experience indicates the desirability of change.

If the recommendations of the Misdemeanant Court Survey covered in a preceding section are adopted, a major increase in staff will be required.^{15/}

4. To development of a Pre-release Center for Parolees. This project, in cooperation with the Department of Corrections, should prepare parolees to return to their communities and improve the likelihood of their successfully completing parole. Services of the Pre-release Center should be extended to all persons leaving the institutions as soon as its procedures and capacity are adequately developed.

5. To Missouri becoming a member state in the Interstate Compact on Detainers. This would provide a means of resolving a large number of the detainers or "hold" orders placed against inmates by other jurisdictions. Approximately 500 inmates have detainers against them. This causes serious classification, assignment, security and morale problems. In some instances the detainers are without substance and should be dropped. In others the prosecution of serious charges are handicapped by long delays between the time of the commission of an offense and trial.

6. To a systematic review, revision and modernization of the substantive criminal laws of Missouri. There are many inequities, discrepancies, obsolete sections and uncertainties in the many statutes concerned with offenses, sentencing, rights of prisoners and restoration of civil rights.

^{15/} See Exhibit 17, The Misdemeanant Courts Report

SECTION F
JUVENILE OFFENDERS

The Committee's concern with the area of juvenile delinquency, prevention and control has been paramount in its deliberations, public hearings and staff activities. From the beginning of the Committee's work it was clear that the first major effort should be concerned with an assessment of present state and local institutions and services for the juvenile offender in relation to the institutions and services needed to adequately cope with the problem of delinquency prevention and control.

The assessment was started with a survey of the State Board of Training Schools' after-care or juvenile parole services, conducted by Thomas Maher, St. Louis Bureau for Men and James Toner, St. Louis City Juvenile Court. The next step in our assessment was to obtain the services of the Federal Division of Juvenile Delinquency Services (a Division of the U. S. Childrens Bureau in the Department of Health, Education and Welfare) to conduct a study of the state training schools. The study was started in August, 1967. It soon became evident that a much broader study was necessary to adequately inform the Committee and the public.

Consequently, the Division of Juvenile Delinquency Services, at the request of Governor Warren E. Hearnes, agreed to conduct a comprehensive study of all agencies and institutions in Missouri concerned with the juvenile offender. A copy of the outline suggesting the scope and concerns of the study is included in the appendix.^{16/}

^{16/} See Exhibit 13

The comprehensive study began in December, 1967. Specialists in prevention, police, courts, probation and detention were assigned to the study. They have visited a number of jurisdictions in Missouri, met with officials and representatives of special and general interests, conducted surveys and studied all available data.

The report on training schools, local and state, is nearly completed. The total report on the comprehensive survey is expected to be available by the end of this year.

It will be Missouri's first comprehensive statewide study of the area of the juvenile offender and will include a wide range of recommendations for improving services to prevent, treat and control juvenile delinquency.

APPENDICES

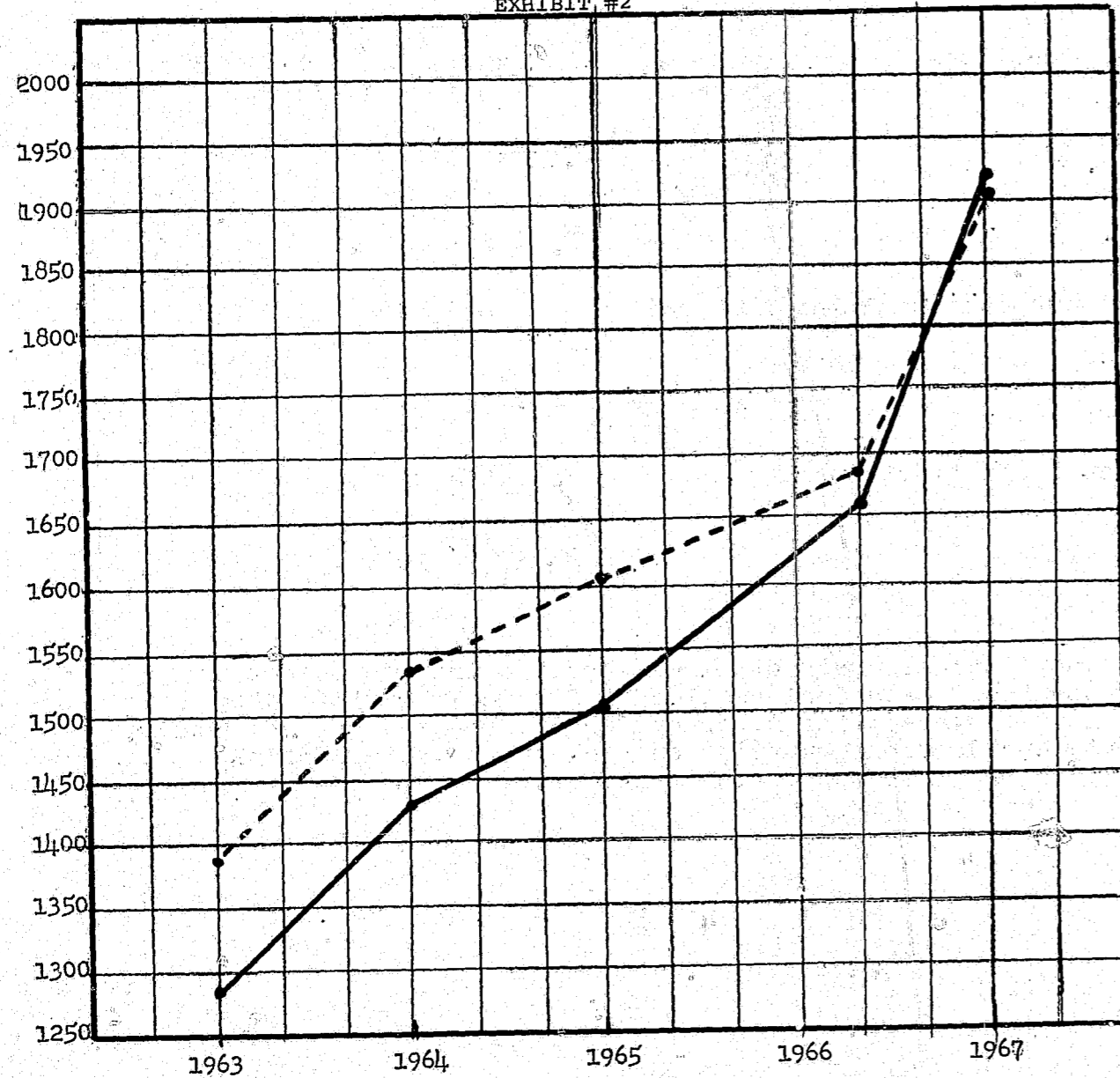
EXHIBIT #1

PARTIAL* LOCAL AND STATE EXPENDITURES
FOR ADMINISTRATION OF JUSTICE FOR MISSOURI 1966-67

<u>Function</u>	<u>Amount</u>	<u>Per Capita</u> (POP. 4,603,000)
Police	\$81,750,000	17.76
Courts	1,748,454	0.38
Jails	3,727,148	0.80
Adult Correctional Institutions	9,637,916	2.09
Adult Probation & Parole	1,328,543	0.29
Juvenile Courts	3,763,012	0.81
Juvenile Institutions	<u>3,544,029</u>	<u>0.77</u>
Total	\$105,496,102	\$22.90

*Does not include costs of misdemeanor courts, prosecution in 112 counties (data include Circuit Attorneys Office, City of St. Louis, Prosecuting Attorney for St. Louis City, St. Louis County and Jackson County), Court clerks, court reporters, bailiffs or other supporting services.

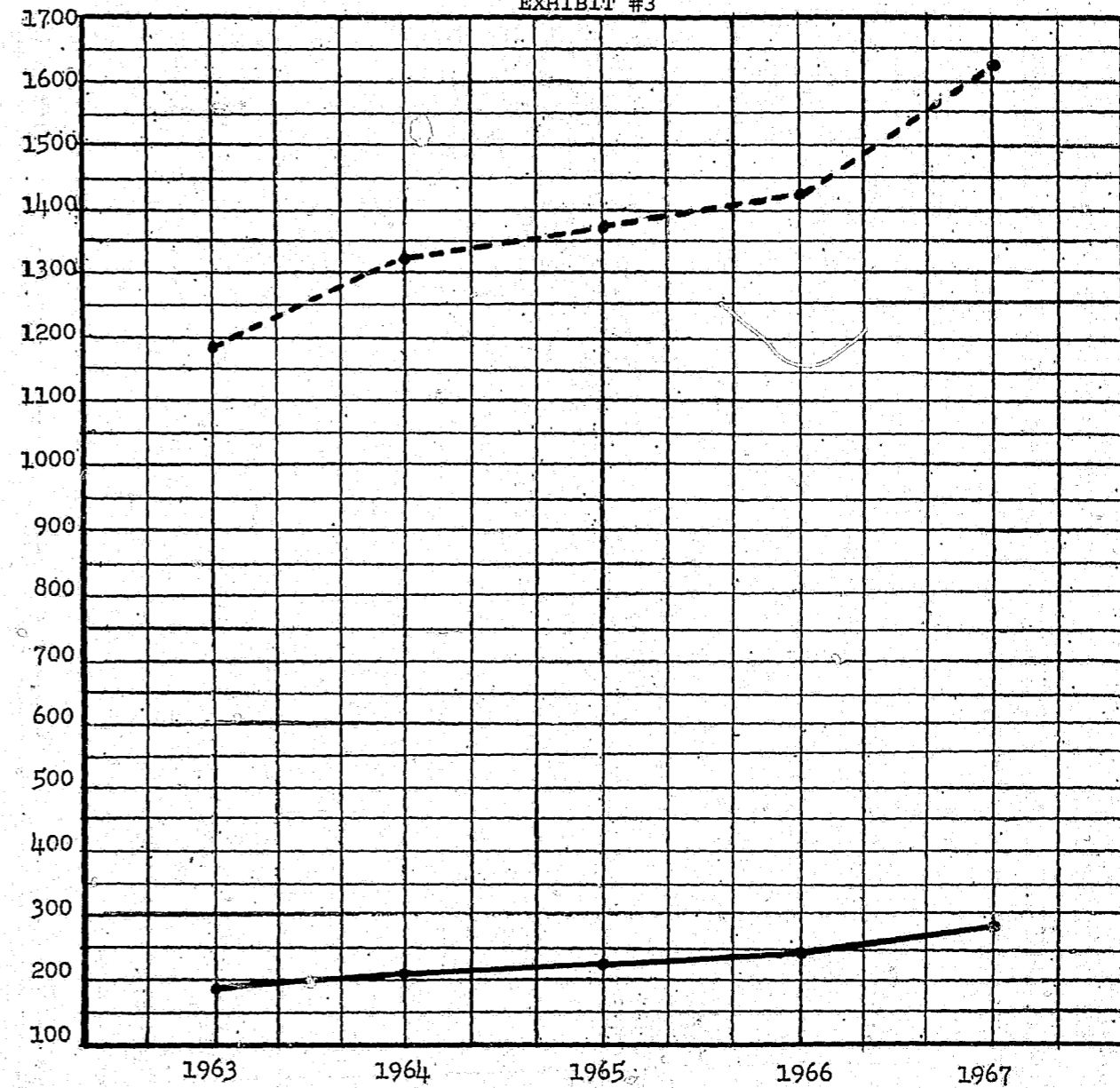
EXHIBIT #2



— U. S. CRIME RATE /100,000 (1283.6 to 1921.7)
- - - MISSOURI CRIME RATE /100,000 (1387.0 to 1904.0)

(From UNIFORM CRIME REPORTS
Federal Bureau of Investigation) 66

EXHIBIT #3



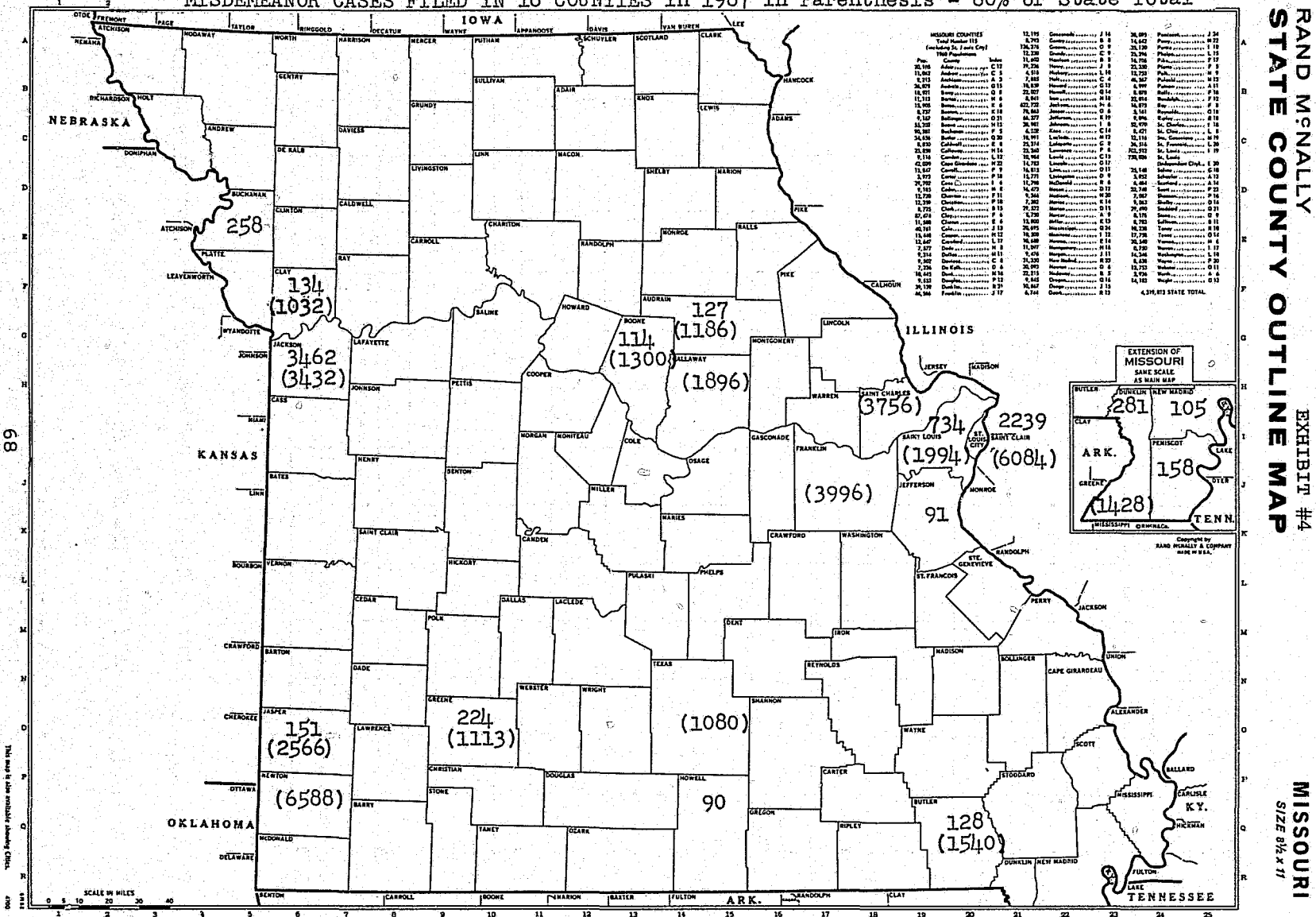
— RATE OF CRIME AGAINST PERSONS /100,000 (MISSOURI)
- - - RATE OF CRIME AGAINST PROPERTY /100,000 (MISSOURI)

(From UNIFORM CRIME REPORTS
Federal Bureau of Investigation) 67

FOR YEARS 1964 - 1967
STATE TOTAL OF FELONY CONVICTIONS
FELONY CONVICTIONS FOR 15 COUNTIES

11,474 Annual Average
8,304 - 72% of Total State Convictions

MISDEMEANOR CASES FILED IN 16 COUNTIES IN 1967 in Parenthesis - 60% of State Total



RAND McNALLY
STATE COUNTY OUTLINE MAP
EXHIBIT #4

MISSOURI
SIZE 8 1/2 X 11

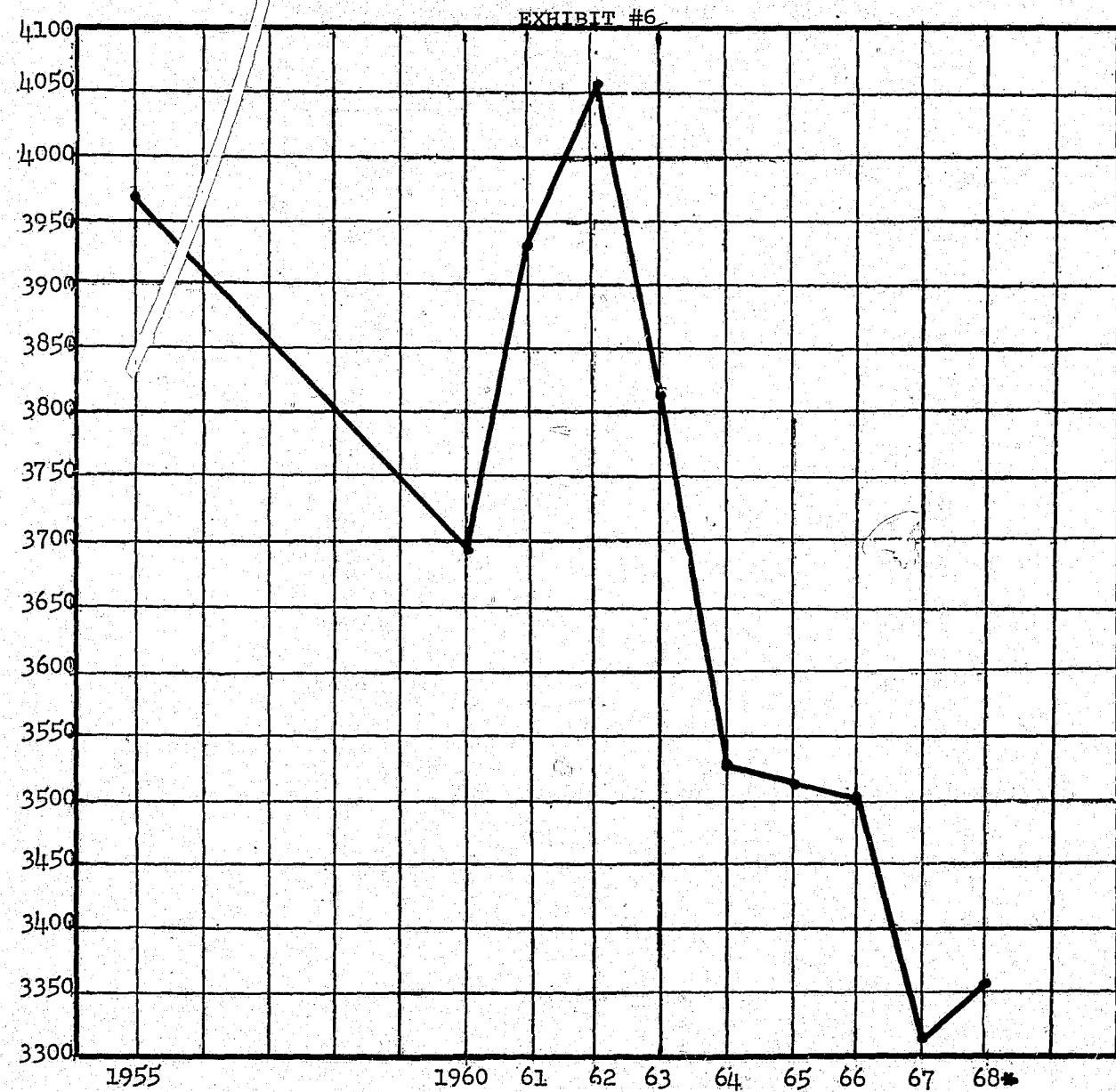
*From Mo. Dept. of Corrections.

Year	Year End Population
* 1967	3354
1966	3317
1965	3506
1964	3517
1963	3529
1962	3816
1961	4056
1960	3930
1955	3698
1955	3666

ADULT PRISONERS IN MISSOURI CORRECTIONAL INSTITUTIONS

(U.S. Bureau of Prisons,
National Prisoner Statistics, 1965)

EXHIBIT #5



YEAR END POPULATION OF MISSOURI'S ADULT INSTITUTIONS

1955 to 1966 Figures: From National Prison Statistics, U.S. Bureau of Prisons

1967 to 1968 : Missouri Dept. of Corrections

*Figures for 1968 Compiled up to 7-1-68

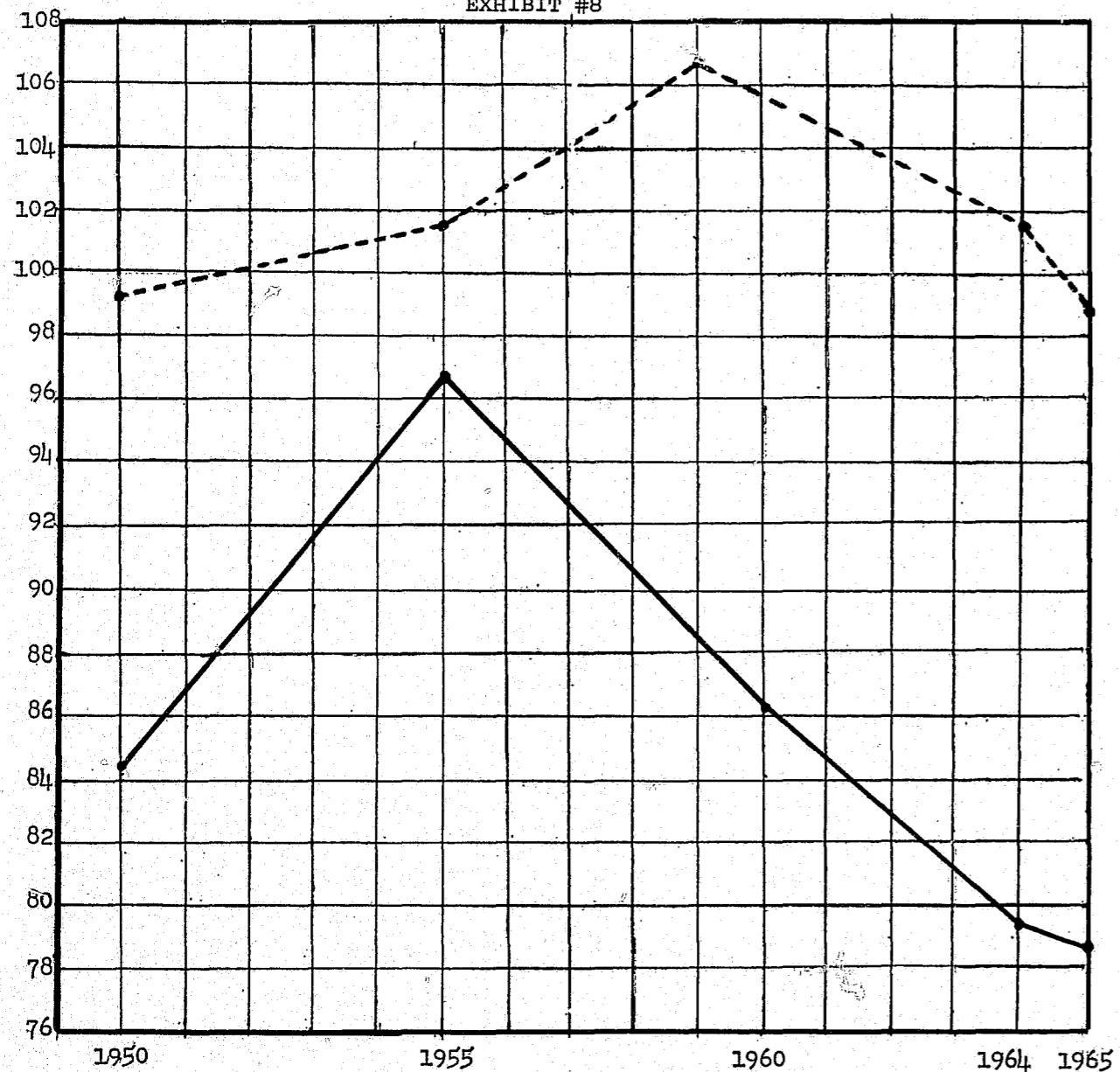
EXHIBIT #7

RATE OF PRISONERS CONFINED PER 100,000 OF
THE ESTIMATED CIVILIAN POPULATION

(U.S. Bureau of Prisons,
National Prisoner Statistics, 1965)

	<u>United States</u>	<u>Missouri</u>
1965	78.8	99.2
1964	79.5	101.8
1960	86.2	106.6
1955	96.7	101.8
1950	84.3	98.9

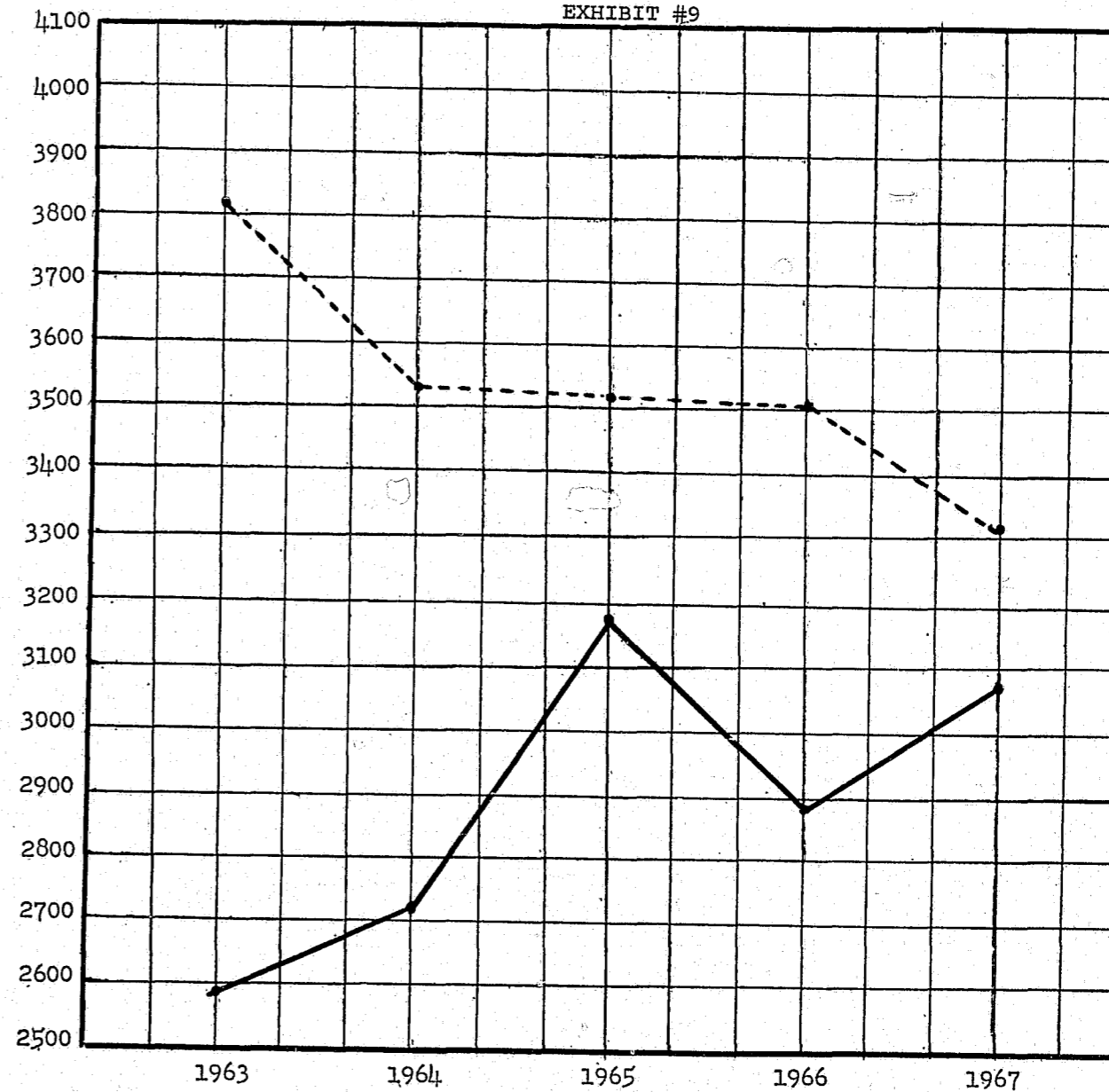
EXHIBIT #8



Annual Adult Institution Population:

— Missouri's Population Rate /100,000
 - - - U. S. Population Rate /100,000

EXHIBIT #9

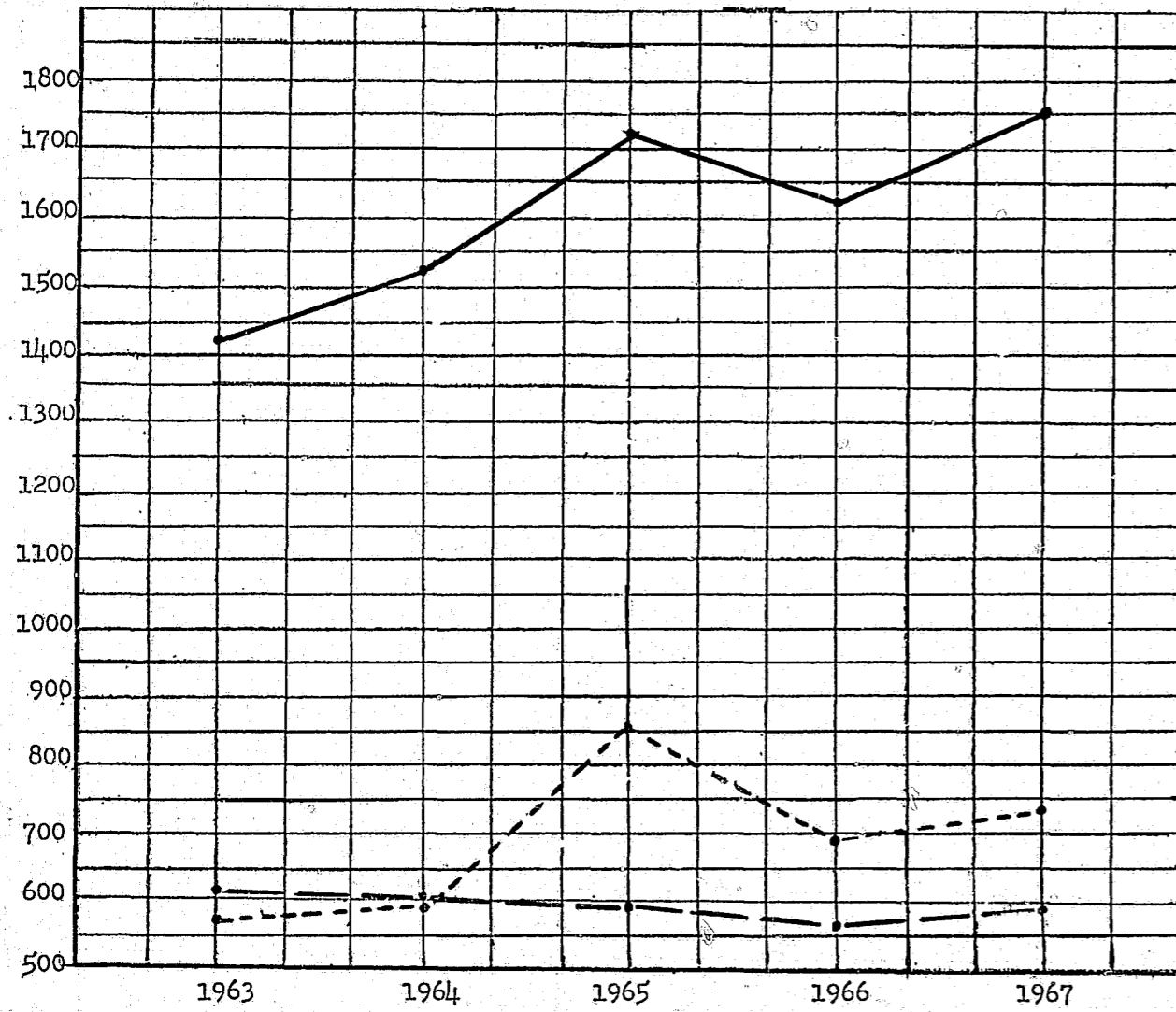


— Probation and Parole Caseload Rate in Missouri*

- - - Average Monthly Population in Adult Institutions in Missouri

*These figures do not include the St. Louis Circuit Court Probation Caseload

EXHIBIT #10



_____ Parole Caseload Rate in Missouri
 - - - - - Probation Caseload Rate in Missouri
 - . - . - Caseload Rate of Missouri's Interstate Compact for the Supervision of Parolees and Probationers.

EXHIBIT #11

Source: Annual Report - Missouri Board Probation & Parole - 1966-1967

CASELOAD & REVOCATION RATES: MISSOURI

Year		Probation	Parole	Other	Total
1963	Caseload	1429	564	603	2596
	Revocation	99	231		330
1964	Caseload	1522	594	602	2718
	Revocation	101	234		335
1965	Caseload	1727	853	599	3179
	Revocation	139	261		400
1966	Caseload	1627	698	560	2885
	Revocation	144	309		453
1967	Caseload	1750	738	595	3083
	Revocation	162	275		437

Date (1957-1967)

Parole - 5,649 - 1169 revoked (20.6%)

Probation - 8923 - 2108 revoked (23.6%)

EXHIBIT #12

ST. LOUIS CIRCUIT COURT
PROBATION-PAROLE, DEPARTMENT
WORKLOAD, 1963 - 1967

YEAR	PROBATION		PAROLE		YEAR END
	CONSIDERED	GRANTED	CONSIDERED	GRANTED	CASELOAD
1963	778	396	226	132	714
1964	660	521	257	141	851
1965	1726	1404	255	168	* *
1966	1021	693	243	116	* *
1967	912	578	402	166	* *

* * Information not available

EXHIBIT #13

THE JUVENILE OFFENDER SURVEY OUTLINE

Objectives:

1. To study existent services in the state of Missouri for the juvenile offender and to evaluate them in terms of nationally accepted standards.
2. To specifically examine gaps in this system of services.
3. To specifically determine overlapping services.
4. To compare these services in Missouri with those in other states.
5. To make pertinent recommendations based upon such a study.

Schedule:

1. A study of delinquency prevention measures and other related youth services in the state and counties of Missouri.
2. A study of the structural division and operating procedures of police personnel who deal with the juvenile population.
3. A study of state-wide Juvenile Court services to include discussions of Juvenile Court Judges, Court facilities, probation staffs, legal attachments, budgets, problems and strengths.
4. A study of Detention facilities in the state.
5. A study of shelter facilities in the state to include foster home, group home, and boarding home placements.
6. A study of clinical services available to different Juvenile Courts in the state.
7. A study of placement services after a youth has been adjudicated as coming within the jurisdiction of the juvenile code, as well as aftercare programs with all their ramifications.
 - a. "Halfway-In" houses and boarding homes.
 - b. Group homes.
 - c. Foster homes.
 - d. Private agencies.
 - e. State agencies, including the Board of Training Schools and its institutions.
 - f. Local institutions.
 - g. Diversification of programs in the state.
 - h. Relationships of these programs with the community.

EXHIBIT #14

GOVERNOR'S CITIZENS COMMITTEE ON DELINQUENCY AND CRIME

December 1, 1967

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Lt. Governor Thomas F. Eagleton

CO-CHAIRMAN
Isaac Gurman
Executive Director Emeritus
Bureau for Men

MEMBERS

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Atty. Gen., Jefferson City

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Pres.—Himmelberger Morrison
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Mrs. Earl W. Long
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Arthur Mag
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Union Electric, St. Louis

Francis Smith
Attorney, St. Joseph

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Attorney, Springfield

Scott O. Wright
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and Parole, Jefferson City

Wendell Sears
Director — Board of Training
Schools, Jefferson City

Fred Wilkinson
Director of Corrections
Jefferson City

TO: Honorable Warren E. Hearnes
Governor, State of Missouri

Address:

BUREAU FOR MEN
1722 OLIVE
ST. LOUIS, MO. 63103
314 - MAin 1-2564

INTERIM REPORT BY GOVERNOR'S CITIZENS COMMITTEE ON CRIME AND DELINQUENCY

With the approach of the 1968 special session of the Missouri legislature, the Governor's Citizens Committee on Crime and Delinquency wishes to bring a few selected matters to your attention and consideration. We realize that in an eight-week special session, not all of the problems confronting Missouri insofar as crime is concerned can be treated and, further, that later hearings of the Governor's Committee to be held in 1968 will reveal additional information not now available to the Committee.

However, at this time we do wish to comment on the following items:

ITEM 1

The request of St. Louis County Supervisor Lawrence K. Roos for inclusion in the call of the special session of an item relating to police services in St. Louis County.

Much could be, indeed has been, written on the overall inadequacy of current police services in St. Louis County. Suffice it to say, in a county of 900,000 people with one department primarily functioning in the unincorporated areas and 58 municipal departments of varying quantity and quality functioning in their respective municipalities, that police services in St. Louis County are terribly fragmented and disjointed.

The Government of St. Louis County and the mayors of the fifteen largest cities of St. Louis County cooperated in having a study made of police services by the

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Public Administration Service (PAS). The PAS report is lengthy (114 pages), detailed, and makes numerous recommendations.

Supervisor Roos does not concur with every facet of the PAS report nor did any other witness appearing before our Committee "buy it" en toto. (It should be noted, in passing, that every St. Louis County legislator, about twenty county mayors, and numerous county police chiefs were invited to appear before the Committee.) However, Mr. Roos does strongly urge the basic thrust of the PAS report insofar as it calls for the authority to levy new taxes locally (cigarettes, utilities, and motor vehicles) to defray the necessary costs. Supervisor Roos was supported in his contention by Mayor John Brawley of Ferguson, by Police Chiefs Michael Broser of Clayton and James Damos of University City, and by Edward Meissner, Chairman of the St. Louis County Board of Police Commissioners.

Mayor James Eagan of Florissant was the only witness to appear in basic opposition to the over-all thrust of the PAS report. He recognizes the need for upgrading the quality of police services in St. Louis County and made a proposal of his own which he felt was more equitable tax-wise to residents of larger municipalities such as Florissant. He believes the question of better police protection in St. Louis County should be taken up in the forthcoming special session of the legislature.

CONCLUSION

We conclude: (1) that the over-all inadequacy of police services in St. Louis County is such as to necessitate immediate attention by the General Assembly;

(2) that the PAS report is not without imperfections especially insofar as it does not sufficiently cope with much-needed cooperation between the Police Department of the City of St. Louis and the various departments of

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Page 3

St. Louis County so as to avoid the wasteful duplication of expensive services (e.g. computers, training, planning, communications, etc.).

(3) that enabling legislation affecting the fundamental subject matter of more efficient police protection in St. Louis County should be brought before the General Assembly for its consideration;

(4) that the proponents of the two (perhaps there are even more) rival plans should thoroughly inform the members of the General Assembly from St. Louis County as to the details of the plans well in advance of the convening of the special session, since an eight-week special session is a short time indeed to consider what is admittedly a far-reaching proposition;

(5) that whatever plan is adopted, it should, insofar as possible, guard against any wasteful duplication of expensive services as between St. Louis City and St. Louis County and other contiguous counties that desire to consolidate certain police functions.

ITEM 2

The request of St. Louis Mayor A.J. Cervantes for inclusion in the call of the special session of an appropriation by the General Assembly equivalent to 25% of the operating budget of the St. Louis Police Department.

Mayor Cervantes pointed out that the City of St. Louis is in need of financial help and that such should be forthcoming from Jefferson City. He believes that the City of St. Louis needs approximately \$5,000,000 in fresh revenues and that 25% of the current St. Louis police budget comes out to just about that figure. He concedes that the 25% "formula" has no basic rationale, but rather is simply the vehicle used to arrive at the \$5,000,000 end result.

The 1966 budgets of the various police departments are set out below:

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St. Louis Police Department	\$22,107,155.00
Kansas City Police Department	8,917,434.00
St. Louis County Police Dept.	2,107,866.00
All Other Police Departments	<u>34,500,000.00</u>
TOTAL	\$67,632,455.00

Source: Research Staff, Kansas City Police Dept.

CONCLUSION

We conclude: (1) that the financial problems of the City of St. Louis are considerable;

(2) that this Committee cannot realistically evaluate the wisdom of the State of Missouri subsidizing 25% of the costs of the St. Louis Police Department without considering the wisdom of doing likewise for Kansas City, St. Louis County, Springfield, St. Joseph, University City, etc., etc.;

(3) that this Committee will in its future hearings throughout the State see if there is some rational and logical basis or wisdom for such a state subsidy and, if so, on what basis, with what strings attached, etc.;

(4) that this Committee will in its future hearings throughout the State see if there are not other more logical and appropriate areas in which the state might function and exert proper, legitimate, and effective responsibility (e.g. juvenile custodial facilities) and consequently afford financial relief to the municipalities;

(5) that if St. Louis and Kansas City need immediate financial relief and if the city administrations of these cities ask for such relief in terms of authorization to increase their respective earnings taxes by 1/4% or 1/2% or authorization to levy a new local tax, that this Committee which is directed to inquire into matters relating to crime, etc. cannot appropriately recommend a proper course of action since it is beyond the scope of our authority.

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ITEM 3

In our St. Louis hearings (November 13 and 14, 1967), we did observe what we deem to be an inequity of treatment insofar as St. Louis City is concerned.

The Missouri Board of Probation and Parole renders its services state-wide to all 114 counties, but it does not render probation services to the City of St. Louis. The City of St. Louis pays \$150,000 annually to conduct such probation services.

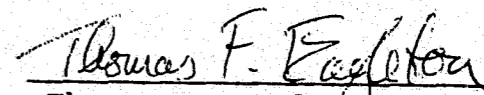
This is illogical and unfair.

CONCLUSION

We conclude: (1) that the proposed state budget be amended so as to take on this cost now being borne by the City of St. Louis; and

(2) that the existing St. Louis City Probation office be taken over and become a part of the state system.

Respectfully submitted,


Thomas F. Eagleton, Chairman
with the approval of the full
Committee.

TFE:rh

EXHIBIT #15

MISSOURI
LAW ENFORCEMENT STANDARDS
AND ASSISTANCE ACT

BE IT ENACTED by the General Assembly, of the State of Missouri, as follows:

Sec. 1. In order to insure the public safety and general welfare of the people of Missouri and to promote equity for all segments of society to establish a professional peace officers force, a program of mandatory standards for selection and training for law enforcement officers is hereby established. It is the intent of this Act to encourage all law enforcement officers, departments and agencies within this state to adopt standards which are higher than the minimum standards implemented pursuant to this Act and such minimum standards shall in no way be deemed sufficient or adequate in those cases where higher standards have been adopted or proposed.

It is the intent of this Act that all units of local government maintaining police forces should be encouraged to promote the highest possible standards of police administration and operations. To this end this act offers

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such units of local government upon their request research and advisory services for improving the administration of their police services.

Sec. 2. The Missouri Police Training Council is hereby created. The Council shall consist of eleven (11) members, ten (10) of whom shall be appointed by the Governor with the advice and consent of the Senate, and the Superintendent of the Missouri Highway Patrol. Of those appointed, one shall be a chief of police of a municipality having a population of less than 10,000; one shall be the chief of police of a municipality having a population of more than 10,000; one shall be a sheriff who performs the duties of a peace officer; one shall be a special agent of the Federal Bureau of Investigation in charge of a Missouri field office of that agency; six shall be interested citizens of Missouri. The Superintendent of the Missouri Highway Patrol shall be an ex officio member of the Council. Of the ten (10) members first appointed by the Governor, three (3) shall be appointed for a two (2) year term, four (4) for three (3) years and three (3) for five (5) years. Thereafter all appointments to the Council shall be for a term of five (5) years provided that the membership of any mem-

ber appointed by reason of his office or employment, as the case may be, shall be dependent upon his continued incumbency in such office or employment, and he shall be a member of the Council only while holding the office or while employed in the position from which he was named to the Council. If the office of any appointed member becomes vacant during the term, it shall be filled by appointment of the Governor for the remainder of the term. Members of the Council shall serve without annual compensation, but may be reimbursed for actual and necessary expenses incurred and a reasonable amount on a per meeting basis in the performance of official duties.

Sec. 3. Within thirty (30) days after the appointment of all of the appointed members, the Council shall meet and organize and shall elect one of its members Chairman, one Vice-Chairman and one Secretary. Thereafter the Board shall meet at the call of the Chairman or at the call of a majority of the members of the Council.

Sec. 4. (1) Effective January 1, 1970, no person shall be employed or appointed as a permanent or regular peace officer by any public law enforcement agency, which is possessed of the duty and power to enforce the general criminal laws of the State or the ordinances of any poli-

tical subdivision thereof, unless he has been certified by the Council as a peace officer as herein provided. Any person who is employed or appointed as a peace officer on or after January 1, 1970, shall be employed or appointed on a temporary and probationary basis, and he shall within the first six months after assuming his office take all necessary steps to qualify himself for certification by the Council. Unless the officer is certified within the six (6) month period aforesaid, or unless the extension of his temporary employment or appointment is approved by order of the Council, such officer's employment or appointment shall be terminated, and he shall not be eligible for employment or appointment by any other law enforcement agency as a peace officer, nor shall he be eligible for any compensation by any law enforcement agency for any services performed as a peace officer.

(2) The provisions of this section shall not apply to any person who is a duly employed or appointed peace officer on January 1, 1970, but the Council shall encourage all such officers and all such law enforcement agencies to qualify themselves or their officers for certification. Nothing herein shall prevent the Council

from certifying persons as peace officers or from providing the services enumerated in accordance with the provisions of this Act and regulations of the Council prior to January 1, 1970.

(3) For purposes of this Act, the term peace officer shall mean and include all salaried state, county and municipal officers possessing the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state.

Sec. 5. All employers of peace officers as described in item 3 above having candidates for certification as peace officers on and after January 1, 1970, upon appointment of such officers must furnish to the Council satisfactory evidence of the peace officer's good moral character, good physical condition and educational qualifications to wit: As a minimum, a certificate of graduation from an accredited high school, or evidence of substantially equivalent experience and training as determined by the Council. Thereafter, within six (6) months from date of probationary appointment, the employer shall furnish to the Council evidence that the peace officer has satisfactorily completed instruction

in a course of basic training for peace officers in school, academy, or program approved and accredited by the Council.

The Council shall approve and accredit such schools, academies, and training programs and instructors, as the Council finds to provide satisfactory preparation of students to perform the duties of peace officers. Such determination shall be made by the Council on the basis of but not limited to the experience and educational background of the instructors, the quality and aptness of curricula, and the educational equipment and materials used in the training of candidates. The Council shall cooperate in and assist with the establishment of temporary training programs in conveniently located areas so as to permit, whenever reasonably possible, the attendance of candidates without necessity for overnight accommodations. The Council shall adopt and publish regulations pertaining to the establishment of minimum standards for certification in accordance with this Section.

Sec. 6. The Council shall have authority to:

(1) Publish and distribute to all Missouri law enforcement agencies bulletins, pamphlets, and educational materials relating to law enforcement.

(2) Provide seminars, in-service training and supervisory training to insure that officers of all ranks, both appointed and elected, before or after the effective date of this Act may be offered training in current enforcement and related subjects on a voluntary enrollment basis.

(3) Consult with and cooperate with any law enforcement agency or division of the state government or the federal government for the development of training programs for the fulfillment of specific needs in law enforcement.

(4) Consult with and cooperate with universities, colleges, and institutes for the development of courses of study, seminars and institutes in police science and administration subjects.

(5) Collect, compile and disseminate current information regarding general developments in the field of police administration and operations. May serve as a clearing house, for the benefit of police agencies, of information relating to their common administrative problems and to assist in the solution of these problems.

(6) Conduct studies and analyses of the administration or operations of any police agency, when requested.

by the head of such agency, and to make the results thereof available for the benefit of such agency.

(7) Refer police agencies to appropriate departments and agencies of the state and federal government for advice, assistance and available services in connection with particular administrative problems.

(8) Encourage the further professionalization of police administration.

Sec. 7. No elected peace officer or official shall be required to be certified as a condition of his seeking or holding such office, but all appointive deputies or assistants of such officer or official who are employed as peace officers shall be certified as a condition of appointment in the same manner as other peace officers are required to be certified.

Sec. 8. The Council or any of its designated representatives, are authorized and empowered to visit and inspect any law enforcement training school of the state or any of its political subdivisions for the purpose of determining whether or not the minimum standards established pursuant to this Act are being complied with, and to, upon order of the Council, issue or revoke certificates indicating such compliance.

(1) Issue and revoke certificates for instructors qualified, or unqualified, to participate in law enforcement training under the provisions of this Act.

(2) Issue, or authorize the issuance of diplomas, certificates and other appropriate indicia of compliance and qualification to law enforcement officers or other persons trained under the provisions of this Act.

Sec. 9. All services which the Council is authorized to provide shall be rendered by the Council at no cost to state, county or city law enforcement agencies in Missouri.

Sec. 10. Enlist the cooperation of private industry in upgrading the qualifications of personnel engaged in security duties.

Sec. 11. The Council shall adopt a seal and maintain its principal office in the City of Jefferson City or its environs. Provisions shall be made by the Division of Public Buildings for office facilities in the City of Jefferson City where the office and records of the Council shall be maintained.

Sec. 12. The Council is authorized and empowered to file grant applications or otherwise solicit funds that may be available and to accept said funds from government or private sources for the purpose of carry-

ing out the programs and objectives as enumerated in this Act.

Sec. 13. The Council shall employ Executive Director and such other professional and clerical employees and consultants as the Council deems necessary. The Executive Director, employees and consultants shall serve at the pleasure of the Council and shall be compensated as directed by the Council within the limits of funds appropriated. The Executive Director shall be selected on the basis of training, experience and proven administrative ability.

The Executive Director shall be the Chief Administrative Officer of the Council, he is assigned supervisory responsibility over the Council staff and shall perform such duties as may be assigned to him by the Council.

THE JAILS OF MISSOURI

A Report for the Governor's
Citizens Committee on Delinquency and Crime

Exhibit # 16

Under the Direction of:

Charles Mann
Executive Director
St. Louis Bureau for Men

Jails Inspected by:

Carl Taedter
U.S. Bureau of Prisons,
Retired
Omaha, Nebraska

Reported by:

Charles Mann

and

Carl Taedter

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IV REGIONAL JAILS

V OBSERVATIONS OF 39 CITY AND COUNTY JAILS IN MISSOURI

VI CONCLUSIONS AND RECOMMENDATIONS

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2. Federal Bureau of Prisons
3. American Correctional Association
4. Minnesota Department of Corrections
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E PENNSYLVANIA STATUTE ESTABLISHING REGIONAL JAILS

PREFACE

John P. Altgeld, former governor of Illinois, wrote in the Preface of his book, "Our Penal Machinery and Its Victims" that his "sole object in writing the following has been to call attention briefly to the character of our penal machinery and if possible, lead others to examine it; feeling confident that, when once generally understood, improvements will be made therein which will benefit society and will greatly lessen the sum of human misery."

In the text of his book, Governor Altgeld described the penal machinery as "immense, costly and its victims counted by millions". He expressed surprise that with all the penal machinery and the numerous arrests, crimes were frequent throughout the country and the feeling was general that the penal system did not protect society. "It does not detêr the young offender and it seems not to reform nor restrain the old offender. For it seems, first to make criminals out of many who are not naturally so; and second, to render it difficult for those once convicted ever to be anything else than criminals; and third, to fail to repress those who do not want to be anything but criminals."

Should we conclude from a comparison of the situation, as described by John P. Altgeld in August, 1884 and conditions today, that his confidence was like that of Pollyana? Can we say that there have not been changes and improvements in procedures, institutions, types of personnel and attitudes? In spite of widespread criticism and complaints, including some in this report, we submit that there have been major improvements in the administration of criminal justice in the United States and in Missouri in the past 83 years. Examples include expanded use of probation and parole, work release programs, new and better institutions, programs to improve law enforcement and others. On the other hand, the degree of improvement, the changes made consistent with recognized needs, the awareness or general understanding of our system of criminal justice leave a great deal to be desired. In too many instances the only change has been for the worse.

We believe there is validity in the position that we are on the threshold of a new, bold, sound and productive era in law enforcement and the administration of criminal justice. The heritage of John P. Altgeld, John Howard, Matt Osborne, Roscoe Pound, John Augustus and many others who devoted their lives to reform of the "system" has resulted in improved conditions and will continue to influence our methods of controlling delinquency and crime through an effective, equitable and decent system.

There is no simple nor sure way of achieving this goal. There is no single answer to the complex problem of illegal, anti-social and destructive behavior. One thing seems essential to success and that is, an alert, aware and responsive citizenry. We need individuals and groups, lay and professional, official and voluntary, who are willing to hold this monstrous system up to the white hot glare of fact and truth and demand that it achieve that goal for which it is responsible - the public safety.

Charles Mann, Chairman
Technical Advisory Committee
Governor's Citizens Committee
On Delinquency and Crime

RESUME AND RECOMMENDATIONS

1. Jails in Missouri are old, inadequate, ineffective and dangerous.
2. Most individual counties cannot afford to operate a safe, decent and modern jail.
3. Jail inmates sit in idleness, despair and isolation from the community.
4. Children are confined in most jails in Missouri.
5. Limited use of release on personal recognizance keeps many inmates in jail, who could safely be released.
6. Records are poorly kept and not reported nor analyzed for use in planning on county, region or state level.
7. Leadership on the local, county or state level to develop a good jail system has been virtually absent. County officials and citizens do not concern themselves with the operation of their county jail nor its inmates.

It Is Recommended That:

1. Legislation be enacted to establish minimum standards for all jails and lockups consistent with those of the American Correctional Association.
2. The State Department of Corrections be authorized and be responsible for development of a jail inspection service.
3. The jail inspection service, in addition to other duties, should develop a system of recruitment, orientation and training for jail employees.
4. The State Department of Corrections be empowered and have the duty to develop a system of regional jails throughout the state for detention of accused and correctional treatment of sentenced offenders.
5. Approximately 50 jails be closed as soon as adequate consolidated facilities are available.
6. Work and training programs be developed for all prisoners.
7. Citizens advisory committees be appointed for each regional jail.
8. Legislation or a Supreme Court rule is needed to authorize release of defendants on their own recognizance.

I. PURPOSE AND METHOD OF THE STUDY

The purpose of this evaluation is obvious. Although news media, various lay and professional organizations, courts, grand juries, legislative committees, public officials and concerned individuals have periodically criticized certain jails, there has not been a state-wide professional survey to determine the condition of jails in general and make recommendations for the improvement of the system.

It was decided to evaluate 39 jails, including three city jails that are used for county prisoners. The jails were selected to provide a representative sample of the entire state. The criteria for selection included geographical location, class of county, population and population trends of the counties, rural, urban, suburban, agricultural and industrial identification. The accompanying map¹ indicates the counties covered in the survey.

The field evaluations were completed in May, 1967. Each jail in the sample was inspected by a field investigator. A report was prepared for each jail covering administration, provision for classification and separation of prisoners, custody and security, inmate control and discipline, building and equipment, food, house-keeping, sanitation and personal hygiene, medical service, inmate employment, activities and programs. Data regarding inmate populations, operating costs, and personnel were, with rare exceptions, estimated. This procedure was adopted because the information was not available any place or the time required to determine it accurately could not be justified.

Jails must be considered as one element in our system of administering criminal justice. They provide, or fail to provide, an important service in the chronology of events to which the individual who is accused or convicted is subjected. Jails cannot be evaluated in a vacuum. It is essential to sound planning that jails be recognized and understood in relation to their purpose, goals and responsibilities involved in their operation individually, regionally and state-wide, and as part of an integrated system of criminal justice.

This study, although specifically concerned with jails in Missouri, was planned and conducted as a component part of the Governor's Citizens Committee on Delinquency and Crime's comprehensive evaluation and plan for improving law enforcement and the administration of criminal justice in Missouri. The Committee's concern in the other four areas of adult institutions, probation and parole, juvenile offenders and police administration is reflected in several instances in this report. In other reports of the Committee, reference and consideration of jails will appear in relation to the principal subject covered.

II. HISTORY, PROBLEMS AND SOME ANSWERS

The history of jails is a gruesome chronicle of a social-legal misadventure in handling society's villains, failures, friendless, poor, rebels, and other arrested citizens. It is not misleading to state that jails in this country, including Missouri, seem to have been built and operated in a manner purposely designed to be:

- damaging when they should be constructive;
- disorganized when they should be orderly;
- filthy when they should be clean;
- debilitating when they should be rehabilitative;
- depressing when they should be enlightening;
- dangerous when they should be safe.

¹Appendix A

In every aspect, jails too often produce a result that is contrary to the goals of criminal justice. The irony in the situation is more apparent when we realize that most of our citizens are totally disinterested in how their hard-earned tax money is misspent.

The American Correction Association's Manual of Correctional Standards includes the following comment on jails:

"The jail is the oldest of all institutions used for the detention of law violators. Its original function was the pre-trial detention of persons charged with crime. Later, it came into use for the service of shorter sentences. Today it continues its dual role as a place of detention for those awaiting final disposition of criminal action and for the serving of short sentences. American jails are usually operated by local governments at the county level, although many of the larger cities operate jails and workhouses.

"There are about 3,100 county jails in the United States and, in addition approximately 1,750 municipalities of more than 5,000 population maintain city jails or lockups. Nearly all American jails operate as independent local units. Less than one-third of the states have any form of supervision or state inspection of jails. Ordinarily, the jail is administered by the county sheriff or his deputies. Consequently, jail administration, by and large, is characterized by continuous changes in management. Rarely are jail administrators experienced or trained in jail management. Frequently jailers and deputy sheriffs responsible for the operation of the jail are appointed for political reasons with little regard for other qualifications.

"American jails have failed, in the main, to keep abreast of developments in other areas of correctional work. Despite the steadily increasing number of exceptions, the average jail is characterized by poor administration, poor sanitation standards, idleness, little if any attention to screening and segregation of prisoners, poor food, low medical standards, and untrained, disinterested personnel.

"The jail is the first step in the detention and supervision of most persons charged with crime in the state, whether eventual disposition of the charge results in acquittal, probation, or commitment to an institution. In the jail first impressions are created. Experience in the jail is a potent force molding the attitude of offenders toward law enforcement officials, the correctional system, and the community itself. There is evidence, however, of an increasing interest throughout the country in improving standards of jail management. Moreover, there is general agreement among correctional administrators on desirable minimum jail standards."

The purpose of the jail can be summed up in two fairly simple statements. First, the accused must be held safely until his guilt or innocence has been established, and the convicted must be held to carry out the sentence of the court. Society demands this for its own protection. Second, the treatment accorded those in detention must square with our ideals of democratic justice in which the accused is presumed innocent until proved guilty. If innocent, he must be impressed with the reality of this idea of justice. If guilty, his punishment must be tempered with a deep-

seated interest in his individual welfare and his ultimate restoration to the community and to society.

The individual reports of the jails evaluated in the Citizens Committee survey, unfortunately, but not surprisingly, reflect that Missouri's jails fail to meet minimum standards of physical adequacy, segregation of inmates, administrative procedures, personnel, inmate employment or activities. The latter, basic to any rehabilitative effort, is virtually absent in our jails. Inmates sit in idleness, despair, isolation from the community, daily becoming more hostile, apathetic, dependent and less capable of meeting the responsibilities of normal citizenship.

Many of the problems are inherent in the system under which our jails are operated. It is to their credit that the Sheriffs in Missouri were overwhelmingly cooperative, helpful and supportive of this survey and its goals. They are concerned about their jails and the criticism directed at them because of poor jails in their counties. They are candid in stating their jails are inadequate due to a variety of reasons, including a lack of guidance.

Several factors contribute to the existing conditions. Some are philosophical, others political, economic or historical. The typical county jail has consistently been held in low esteem in this state as well as most of the United States. Little concern has been expressed and less support given by local leaders toward improving their jails. Sheriff after sheriff has indicated the local community is not interested and does not consider the jail and its inmates their responsibility. This rejection of responsibility extends to Magistrate, Circuit and County Court judges, who fail to inspect or concern themselves with conditions in their jails.

Most jails are relics from the days of limited communication methods, slow means of transportation and, most importantly, a penal philosophy that included the idea that a prisoner deserved whatever happened to him, no matter how damaging. With rapid communication and transportation systems and a realization that the goal of the judicial and correctional system is to improve persons in their charge, the need for "storage" type jails has greatly diminished.

Two complementary courses of action are available to us - reduce the jail population and improve jails for those who must be detained. The first can be achieved by the broad extension of the use of personal recognizance wherever possible, to release on his own pledge every defendant who cannot afford bond, and who is found to be reasonably certain to follow the court's instructions. This procedure can probably be used in over 75% of all confined cases. A related procedure would extend the use of a relatively small cash bond to be deposited with the court to assure appearance of some selected defendants who can afford an amount of about twenty-five dollars. This money would be returned when the defendant complied with the court's orders. Other methods of reducing the jail population include increased use of summons, improved court procedures and immediate transfer of persons sentenced to the Department of Corrections. The second and more costly course is the development of improved facilities in existing jails where possible, and in regional jails for several counties where the present jails are incapable of adaptation.

The tradition of the county jail under the control of the sheriff is beginning to be questioned. In the City of St. Louis this condition does not exist and in several instances, including two of our most populous counties, it has been recommended that the county jail be removed from the sheriff's control and be placed in a department separate from law enforcement, more concerned with rehabilitation and responsible to the financial and administrative head of the county government as a first step.¹ The second step envisions a consolidation or inclusion of jails into a corrections system providing alternative and diversified facilities. The system can be a state-wide one of regional jails under the Department of Corrections or a county-state arrangement that permits flexibility of assignment of different types of inmates to the type of facility best suited for

¹St. Louis County's new charter, passed April 2, 1968 puts the responsibility for administration of the jail in the County Department of Welfare.

him. This change is consistent with the recommendations of the Task Force on Corrections of the President's Crime Commission.

A jail inspection service at the state level is a concurrent requisite for a good jail system. It seems appropriate and necessary to create a state jail inspection service to advise, consult and lead cities, counties and regions to develop and maintain high standards and conditions for their detention facilities. The implementation of the service could be attained by subsidies, services and, where necessary, condemnation proceedings.

The jail system should be totally revamped, architecturally, administratively and philosophically. Special emphasis on the responsibility for "safe keeping" of untried persons is essential. This would mean considerably more than just physical protection. It should include a complete program providing all the services necessary to meet the needs and problems of the accused person, so that the detention experience itself is constructive rather than destructive. Every prisoner should be provided with the means to benefit from detention. Although the emphasis here is on the untried person, it is not intended to ignore convicted persons serving sentences in a jail. Certainly it is equally as important to treat a convicted person decently, humanely and responsibly.

Jail programs should include sound classification and assignment for all inmates; comprehensive social and medical services; work, recreation and religious programs, and for the untried inmates, special facilities for legal conferences. The social and medical services are of prime importance to help resolve personal and family problems by counselling, use of public and private community resources and detection and treatment of health problems.

Twenty of the thirty-nine individual county jail reports indicate the need for new jails. If this ratio is valid for the rest of the state, there are fifty to sixty jails that need replacing immediately. This presents an opportunity to do some realistic, correctionally sound and economically desirable planning to build a system of institutions, in which each would serve several counties for pretrial detention and rehabilitative confinement of sentenced offenders.

The difficulty of getting acceptance of such a proposal cannot be over-emphasized. Over 50% of the sheriffs in the completed reports indicate support of the regional jail concept. There are some objectors to the idea and they have some sound reasons for their objections. However, it appears the factors supporting regional jails are more substantial and capable of being transmitted to the citizens of Missouri.

Details of the jail evaluation give some of the range of findings. There are jails with rated capacities from six to 449. They vary in age from three years to one hundred thirty-seven years. There are jails in the basements of the courthouse, behind courthouses, on top of courthouses, in remodeled post offices, and a new institution in St. Louis County will be built on a site twelve miles from the courthouse. The populations varied from one sentenced prisoner to 426, with 20% serving sentences. One jail has been condemned by grand juries for the past seventy-five years, yet it contained nine prisoners waiting trial and two prisoners serving sentences when visited during this evaluation. Some are dirty, poorly equipped, dungeon-like; others clean, airy and well outfitted. The best could only be rated as meeting minimum standards of adequacy in all areas.

One of the most heartening aspects of the evaluation has been the response of the sheriffs. Several wrote asking that their jail be included in the evaluation; others asked for assistance in considering a new facility or to meet with the county court and other officials. They are fully aware of the status of their jails and there appears to be a strong plea for help in meeting the county jail problem. It is certainly within the scope of the Governor's Committee to provide some

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1 OF 3

measure of relief for this situation and, hopefully, a comprehensive plan that will make Missouri a leader in jail administration in the United States.

III. CORRECTIONAL, FINANCIAL AND ADMINISTRATIVE ASPECTS OF JAILS

Jails are generally understood to be institutions for temporary pre-trial detention and short term sentences. They occupy a strategic place in the administration of criminal justice. Jails receive and are expected to hold persons accused of crime. The accused, who is not released on bond, is confined in a police lock up facility or jail immediately after his apprehension. That is a period of emotional tension, possible physical injury and legal uncertainty for the accused. It is a time that common-sense and the law dictate the prisoner should be treated fairly, decently, and humanely. He is most susceptible at that time, to the influences of his surroundings and associates. The conditions in the jail, the discipline and control of other inmates and the attitude of jail officials will create a profound impression on the accused. They can initiate the correctional process or so seriously negate it that restoration is nearly impossible.

A majority of the public accepts as the goals of our system of law enforcement and administration of justice the swift and certain apprehension, conviction and treatment of offenders to restore them to the community as law abiding citizens. The ultimate goal can be attained most readily and effectively the earlier it begins and that often means in jail. The fact that pre-trial detention often extends for many months or even years and that a one year sentence is short term only in a relative sense, makes it even more important to treat jail prisoners in a manner conducive to modifying and correcting destructive behavior.

Jails that are operated by a single County to serve an average population of under 20 prisoners find the per capita cost of providing even basic services prohibitively expensive. Facilities that can accommodate a larger inmate population, of at least 50 prisoners, serving a region of several counties, can be operated more efficiently and economically with more adequate staff and program at appreciably lower prisoner cost.

It would be almost impossible to precisely determine the cost of crime in Missouri. It would be a major undertaking to accurately ascertain all costs to victims, costs of law enforcement, prosecutors, defense attorneys, courts, correctional personnel and institutions, but it is a major cost to taxpayers. The Governor's Citizens Committee on Delinquency and Crime conservatively estimates the cost to be over \$150,000,000 a year. Among the costs of operating jails it was possible to rather accurately determine that the cost of merely feeding jail prisoners in Missouri is about \$2,000,000 per year. This was based on average cost of \$1.75 per day for about 3000 prisoners daily. The sample covering 36% of the jails included 873 prisoners.

Facilities for security and for proper segregation of prisoners do not alone insure satisfactory jail conditions. The administration or personnel, who conduct the operation of the jail determine to a large extent how it will function. An unqualified, untrained and unsupervised guard will not carry out his responsibilities any better than a police officer with the same limitations. A cliché often heard in correctional circles is "I can run a good institution in a tent with the right staff." That may be an exaggeration, but the element of truth is surprisingly valid.

The training of adequately selected personnel is a prerequisite to a well operated jail, that can reasonably be expected to attain its goal. The personnel must be adequately compensated, working conditions must be reasonable, opportunities for job satisfaction and advancement should be present and tenure should depend on ability and performance, free of any political influence.

Traditionally the importance of guards has not been properly recognized. Success of a jail will ultimately depend on its staff, the institution itself is merely one of the tools with which the staff works. Obviously, a jail that is well designed, equipped and supported will enhance the development and administration of a good program.

The previously mentioned transfer of jails from law enforcement officials, the Sheriffs, to a Correctional authority is based principally on the priority of commitment and expertise of the two equally important elements in the justice system. Correctional authorities can be expected to integrate the jails into the corrections system, to improve them and adapt them to community-based programs. Law enforcement officials, with rare exception, are primarily concerned with crime prevention and apprehension of offenders and should not be expected to shoulder the added responsibility of operating a correctional institution.

IV. REGIONAL JAILS

A number of counties in several sections of the state could be benefitted by the construction of one jail which would house prisoners for these counties; however, in considering such arrangements, a thorough study should be made as to the average population which would be housed in the jail, and the distance it would be from other county seats. One of the most common problems presented when this is considered is that of who will control the jail, and also who will bear the cost of building the detention facilities and maintaining the building and equipment after its completion. Regional jails have been discussed and in some states they have been instituted. It is felt that consideration should be given to the following statement in the Manual of Correctional Standards:

"Much has been said and written for and against the regional jail. The facts indicate that it is difficult, if not impossible, for many of the smaller counties to provide the physical facilities and the personnel necessary to maintain secure custody and effect the rehabilitation of the individuals committed to their care. It would seem practical therefore, for several contiguous counties in less populated states or sections of states to pool their resources and establish a central unit where a well planned program could be directed by trained and alert personnel. Objections to distance could be met by using present facilities or a smaller unit for temporary detention pending transfer to the central facility. The State of Virginia, for instance, has on several occasions used one jail for confinement of prisoners from several adjacent counties. The principal is the same as that under which the use of a regional jail is recommended."¹

In questioning the sheriffs of Missouri relative to the establishment of regional jails, there were about 50% in favor of such facilities, the remainder were opposed, or had not considered such an institution. In some instances, the sheriffs felt they were operating a regional jail at the present time since they were housing prisoners for several adjacent counties. There are advantages to joint county jails and regional jails. Many of the deficiencies which now exist in the small jails would be eliminated. A definite correctional program could be instituted by a well trained and adequate staff. The regional jail would be a diagnostic center where much needed records could be obtained and a corrective program could be established for the inmate. Assistance of professional services could be employed, such as, part time psychiatrists, psychologists, doctors, educators, and social workers. Routine procedures would be improved as supervision would be available at all times for both males and females.

¹American Correctional Association, Manual of Correctional Standards 1959, page 99.

If the building is properly designed and constructed all types of adult prisoners could be confined in the jail and adequate security and separation of prisoners could be assured. More than minimum jail standards could be met in such a facility, for example - a well developed correctional program could be operated. The cost of constructing and maintaining large jails in each community would be unnecessary as a small facility could be constructed from which the prisoners would be taken to the regional jail. This would prove beneficial to the small and medium sized communities by a reduction in costs, by increased protection to community, safety for prisoners, and also the results of the rehabilitation program.

The July, 1967 Interim Report of the Joint Committee on Correctional Institutions and Problems on the St. Louis County Jail recommended that legislative consideration be given to the use of the new St. Louis County Correctional Institution as a regional facility for several adjoining counties. We concur with that specific recommendation as well as the general application of the regional jail concept for the rest of the state.

The Missouri Public Expenditure Survey report "Better Local Government for Everyone in Missouri," October, 1966, strongly and specifically recommends joint operation by several counties of jails. The report states "Where the need (for joint services) seems to be urgent is that of jails. In recent years considerable publicity has been given to the conditions in county jails in the state. Cases of insufficient space, inadequate security, prisoners left unattended, and lack of sanitary conditions have been shown to be widespread. Inquiry indicates that there have since been no significant improvement."

V. OBSERVATIONS OF 39 CITY AND COUNTY JAILS IN MISSOURI

Administration: In most instances the jails observed were operated by the sheriffs, deputy sheriffs, and town marshals. Only the larger jails employed full-time jailers. In most of the contacts it was felt that the sheriffs were conscientious in performing their duties. In many cases they were apologetic for the poor jail conditions which prevailed in the community. Several of the sheriffs desired information as to how their jails could be improved, or in other cases, how funds could be procured for better detention facilities.

Many of the sheriffs were experiencing difficulties in recruiting qualified personnel for such positions as deputy sheriffs, jailers, office personnel and radio dispatchers because of the low salaries allocated for these positions. The salary range for deputy sheriffs and jailers was from \$200 to \$500 per month. As a result of low salaries paid, the employees were supplementing their incomes by working at other positions, or were persons who received retirement pensions. The lack of personnel results in neglect of the desirable routine operations in the majority of the smaller jails. Jail records were usually found to be incomplete and inaccurate. Very few jails properly executed the admission and release procedures. In most instances the prisoners were only given a "frisk" search and only those charged with felonies were fingerprinted and photographed. Very few of the authorities had received training in the proper procedures to employ in the operation of a jail.

Females and Juveniles: Except in a few instances the facilities for housing women and juveniles were not satisfactory. In most of the older jails only one room or cell was available for the housing of women or juveniles, and in very few communities were there other facilities such as juvenile or foster homes. The proper separation of women and juveniles was a problem to many of the sheriffs contacted. The only solution for this problem was for the sheriff to transfer the women and juveniles to other jails in adjacent counties where facilities were available. Matron services in most jails were not adequate. In most instances the sheriff's wife acted as matron and only visited the females infrequently.

Custody and Security: In some jails the custody maintained over the prisoners was satisfactory while on other occasions prisoners were permitted to go to stores and make purchases unattended by an official. In jails where trustees were assigned, they frequently worked away from the jail area without supervision. It was also noted that on some occasions prisoners were performing duties which should only be performed by a jailer or paid employee.

The security features of the jails were frequently found to be in poor condition. The locking mechanisms were broken, or not employed because of lack of toilet facilities in the cells and it was necessary to permit the prisoners access to the outer walls and windows since the plumbing fixtures were located in the patrol corridors. Such security features as safety vestibules, visiting panels and listening devices were seldom found available in the older jails. In most cases the jail authorities were subject to attack when performing their routine duties. Care was not always exercised in the handling of firearms or in control over the keys. On several occasions the jail administrators entered the jail units wearing weapons when they were close to prisoners.

According to the sheriffs there have been fourteen separate escapes from the thirty-nine jails contacted. This involved eighteen prisoners. In four other jails, attempts to escape were made during the past two years. News media report escapes of dangerous prisoners with sickening regularity.

Inmate Control and Discipline: In the majority of the jails contacted the control over the prisoners was not satisfactory and discipline was given little emphasis, except that the prisoners were required to be quiet and respectful to the authorities. Prisoners, especially in the smaller jails, are left to their own devices much of the time. Under such circumstances unsatisfactory conditions often exist. In very few jails were there facilities for the proper segregation of prisoners and the hardened offender was found to be housed with the younger and first offender. In such instances many undesirable incidents could occur, such as assaults by one prisoner upon another. Such incidents seldom come to the attention of the officials unless an incident occurs which results in serious injury to a prisoner.

The supervision provided the jails was in most instances limited and inadequate. In most jails the only supervision provided the jail area is that of the Sheriff, Deputy Sheriff, Town Marshals, or State Highway Patrolmen, who check on the jail when a prisoner is admitted or released, or at meal times. These checks on the jail when a prisoner is admitted or released, or at meal times are usually not very thorough. Of the 39 jails contacted only 12, or 30%, provided what could be termed as adequate supervision. Most of the jails are without supervision after approximately 10:00 p.m. until the following morning. In several instances the jails were located in Courthouses where no one was in the area for long periods of time and the Sheriff resided some distance from the jail. Night policemen or Town Marshals were supposed to provide some supervision at night. Under such conditions, supervision is not assured and is left to the discretion and convenience of the night officer.

During the past two years, 7 prisoners died in the jails which were contacted. Of these, 4 died of natural causes, such as heart conditions. In 2 of these cases it was said the inmates were mental cases and should not have been housed in the jail, but in a hospital. Two prisoners committed suicide by hanging. One prisoner was beaten to death by another prisoner in one of the jails.

Buildings and Equipment: Most of the jails studied are old and obsolete. Some of the buildings in which the jails are located are in poor condition and some have been condemned by grand juries for many years but no progress has been made to take corrective measures. Of the thirty-nine jails contacted, six - or approximately 15% - were over one hundred years old. Sixteen jails, or 42%, were over fifty years old; thirteen jails, or 31%, were constructed in the 1880's and only

five, or 13%, had been constructed since 1950. The most recently constructed jail was 1964.

Twenty-three, or approximately 59% of the jails evaluated, were found inadequate in size for the housing of the prisoners and were overcrowded at times. In nineteen of the jails, or 47%, it was found that the facilities for housing the various types of prisoners were not adequate. The designs of some of the jails were not considered as being satisfactory and did not permit the supervision of prisoners without danger of the officer being assaulted.

In the majority of the jails the plumbing equipment was old, not adequate, and required constant repairs. In many instances the few plumbing fixtures were located in areas in the jail where prisoners have access to outer walls and windows which detracts greatly from the security of the jail. Such conditions also reduces the control over the prisoners since the units are operated as a dormitory, or in an open manner. Bathing facilities for the prisoners, especially women and juveniles, were found lacking, and in one instance the prisoners were permitted to go to their homes to bathe because there were no bathing facilities in the jail.

In other instances the jails were considered to have fire hazards because of the heating systems used or because of the poor electrical wiring in the jails. It was also noted that many of the jails were without fire extinguishers and there were no emergency exit doors to the jail sections to be used in the event of a fire.

It was evident that in the majority of instances where poor jail facilities were found, the sheriffs desired better facilities but they were frustrated in their attempts to obtain adequate facilities because of the apathetic attitudes of the citizens in the community and bond issues which would provide adequate detention facilities were defeated consistently. County judges in several instances, were reluctant to become involved in giving assistance to such a program.

Food: The meals are usually prepared by the sheriff's wife, or deputy sheriff's wife, who reside in quarters adjacent to the jail section. It was noted that in most instances the meals served the prisoners were considered to be satisfactory. In a few jails paid cooks were employed and there were also some jails where the meals were obtained from local restaurants. Of the thirty-nine jails contacted, three meals are served daily in twenty-six of the jails and two meals were served daily in twelve jails. One jail had no control over the serving of the meals. The prisoners prepared their own meals and ate when they desired. A few complaints were made by prisoners in jails where only two meals were served. In most instances the prisoners indicated the meals were acceptable. The kitchens in the jails where the food was prepared varied in appearances as to cleanliness. Some were well equipped, modern and well designed while others were small, poorly designed and also had very little equipment.

The cost of feeding the prisoners in the jails contacted varied. In some jails the average cost per day per prisoner was ninety cents, while in other jails the cost was \$2.50 per day per prisoner; however, in this case the salary of the cook was included in the cost. In most instances the feeding fees did not permit the sheriffs to realize any profit from feeding of prisoners.

Housekeeping, Sanitation and Personal Hygiene: A number of jails were found to be satisfactory as to cleanliness but many were found to be dirty and no regular cleaning program was in effect. It was evident that in some jails little emphasis was placed on the cleaning program and the degree of cleanliness was left to the discretion of the prisoners. In most jails the sanitary facilities were inadequate. The old style dry toilets were frequently observed, there was no hot water available in a number of jails, and in a few jails there were no bathing facilities, or bathing facilities were only available to the adult male prisoners. In most jails only mattresses and blankets are issued and these were often unclean and worn out. Some jails only issued paper towels and and cloth towels had to be furnished by the prisoners. In several jails no provisions were made for providing towels.

Many of the jails had no laundry facilities and prisoners either washed their own clothes in sinks or sent them out with visitors to be cleaned. Prisoners were usually attired in their own clothing and jail uniforms were not issued. In some instances the poor appearance of the jail as to cleanliness and sanitation was due to the lack of supervision by the authorities. It was evident that because of the lack of adequate plumbing facilities in some jails, the authorities were not concerned about the personal hygiene of the prisoners. It must be recognized that in most of the older jails the facilities for proper sanitation did not exist and requests for improvements to these facilities were ignored by the County Judges according to the sheriffs.

Medical and Health Services: In the majority of the jails the medical services for the prisoners are provided by the County Doctor, or a local doctor on a fee-per-call basis. In very few cases were other medical personnel made available. Physical examinations usually are made only when prisoners complained of an illness. In some instances there are no hospital facilities available in the community and prisoners are taken to hospitals located in other towns when hospitalization was required. It was noted that mental cases in most instances are taken to a mental institution as quickly as possible and seldom are housed in the jails for long periods of time.

Inmate Employment: Other than assigning prisoners as trustees, there are few work programs found in the jails contacted. In most instances the prisoners spent their time in idleness.

Inmate Activities: In some jails religious services are held. There are a few jails where television sets are permitted, and in most jails small radio sets are permitted if owned by the prisoners. Playing cards appeared to be the most common form of recreation. Organized programs for the prisoner's recreation were not observed. In very few instances are community organizations and services such as: Alcoholics Anonymous, County Board of Visitors, Fraternal, Social or Professional Clubs, used to their potential value.

VI. CONCLUSIONS AND RECOMMENDATIONS

It is very evident that progress toward the improvement of jails in the State of Missouri has not kept pace with the need for proper and adequate detention facilities in the various local communities. Very few new detention facilities have been constructed in the past fifty years and although the need for better detention facilities is recognized in many communities by the local law enforcement officials, and in some instances by Grand Juries, no definite steps have been taken, nor are now being taken in those communities to correct the prevailing poor conditions. Inadequate jail facilities were observed in all areas of the State. Twenty of the 39 jails, or 51%, need replacement, or additional facilities to comply with the minimum standards for jails.

Jails which do not have adequate, secure and safe detention facilities for prisoners are a hazard to the community as well as to the administrators. Escaping prisoners often commit additional crimes while effecting their escapes, such as assaulting officers, taking hostages, stealing automobiles, and committing burglaries to obtain weapons or food. Any citizen in the community could be a victim of one of these escapes. It is believed that each jail administrator should be provided with the detention facilities which assure security, sanitation, and also provides the means by which the prisoner is afforded fair and considerate treatment. Conditions in jails which do not permit the proper protection for an inmate whether it be from the aggressive tendencies of other inmates or from a lack of sanitation, food, or medical care should not be permitted to exist.

In too many of the communities adequate detention facilities are not available to the law enforcement officers. The available facilities do not assure security, proper separation of prisoners, nor adequate sanitation facilities. In some communities the poor jail facilities have contributed to a breakdown in law enforcement as the enforcement officials are reluctant to make an arrest and subject the offender to the conditions prevailing in the jail, or to take the trouble of transporting a prisoner to another jail.

In many of the contacts made, the Sheriffs are aware of the existing deficiencies which prevail but are frustrated over the apparent lack of interest on the part of citizens in the community when an effort was made to obtain the needed facilities. Other persons of authority within the community were found to be disinterested in the promotion of programs which would provide the law enforcement officers with adequate facilities, or were awaiting demands from the local citizens for better detention facilities, and would not act on their own initiative.

Only in a few communities were the citizens interested in proper jail facilities and have provided the Sheriff and the community with proper and adequate detention facilities. It is believed that the State of Missouri should take positive steps to provide supervision over the detention facilities available to the law enforcement officers so that adequate facilities will be available to every law enforcement officer in the state. This recommendation is made because of the failure or inability of the local communities to provide such facilities.

It is hoped that the citizens of the state will take a more active interest in solving the problems of the local law enforcement officers relative to detention facilities and provide them with the facilities that are necessary. In most instances in the past priority has been given to other civic projects and the thinking of the average citizen is that prisoners do not deserve better conditions. Consideration is not given to the problems of the jail or the Sheriff, who has the responsibility of keeping the offender in his custody in a secure manner and assuring that the general health and morale of the prisoner is not injured while he is incarcerated. A more complete image of the jails observed can be obtained from a rating of the 39 jails contacted.¹ The ratings are based upon the elements as set forth in the previous section, namely - Administration, Separation Facilities, Custody and Security, Inmate Control and Discipline, Building and Equipment, Food, Housekeeping, Sanitation and Personal Hygiene, Medical, Inmate Employment and Inmate Activities. The ratings applied to the jails in the State of Missouri have been divided into three categories: Good, Fair and Inadequate. It must be recognized that in rating a jail many facets must be considered and the relative importance of each facet to the needs of that jail in serving the community in which it is located should be considered. It should be recognized also that in the various jails conditions are not comparable. Some jails may have better facilities than others while the other jails may provide more supervision or other outstanding features which when considered in the overall rating of the jail will result in a rating which is equal to that having only good facilities.

Most of the emphasis during the observations made of the jails was placed on the administration, security, separation, facilities, and the building and equipment, as found in the jails since these are the foundation upon which the minimum standards are based.

Explanations Of Ratings:

Good - Jails rated as Good are those which are well administered, have adequate facilities for proper separation of prisoners and have the necessary security facilities. They are provided constant supervision by competent and experienced jailers which assures good control over the prisoners and a reasonable degree of discipline. Such a jail meets the minimum standards for jails, as set forth in the American Correction Association Manual, to a reasonable degree. In these jails good jail procedures are employed and the official records are complete.

¹See Appendix C

Fair - Jails rated as Fair indicates that the jail is fairly well administered by Sheriffs, Deputy Sheriffs, or a jailer. Although the supervision is not constant, it is considered as adequate. The facilities in the jail are normally adequate for the proper separation of prisoners, and the jail has sufficient facilities for security if proper jail procedures are employed. In such jails the sanitation was found fairly satisfactory and sufficient facilities were available so that a fair degree of personal hygiene is possible. In some instances conditions could be improved in jails given a Fair rating by having additional supervision or by being provided with funds for regular maintenance of the building and equipment, but it is felt the jail administrators are making an effort to comply with the minimum standards for the operation of jails and constant improvements are being made.

Inadequate - Jails considered as Inadequate are those which have many of the following deficiencies and which are not considered as satisfactory for detention of prisoners:

1. Sheriffs Departments were understaffed and underpaid, and as a result adequate supervision was not being provided to the jail areas so that proper jail procedures could be employed and discipline could be maintained. In some instances prisoners performed duties which should be carried on by paid officials.
2. Detention facilities were old, obsolete, insecure, unsafe, and lacked facilities for proper separation of the various types of prisoners. Sanitary facilities were old, unsanitary and inadequate for the population of the jail, in some instances being almost non-existent.
3. Sufficient funds were not available, or provided for necessary repairs and improvements to buildings and equipment.
4. Adequate matron services were not available.
5. Complete records of the operation of the jail were not maintained.

Vision and foresight should be the key words in planning a new correctional program which should be based upon a complete study of the overall correctional needs of the state. It is felt that more emphasis should be placed by the state upon the present physical condition of the jails and also the state should implement a positive program for the correctional practices and treatment methods to be employed in the jails within the state.

The law enforcement officers have been hampered by an archaic and uninformed public opinion and unsuitable physical plants. Legislation should be introduced and adopted which will assure the law enforcement officers of having the necessary facilities available for the detention of all types of prisoners, and also assure a competent staff which will supervise the jail units in an acceptable manner.

Recommendations:

1. It is recommended that legislation be introduced in the State of Missouri for the purpose of establishing mandatory minimum standards for jails and lock-ups in the State. This would also include such facilities as are employed for the detention of juveniles. The minimum jail standards should conform to those set by the American Correctional Association in the Manual of Correctional Standards.¹
2. It is recommended that an inspection service be created which would operate under, and in conjunction with, the State Department of Corrections, and this service be provided with sufficient authority to enable it through the State Attorney General's Office to require that the various counties and cities comply with the minimum standards set for the jails in Missouri. Specific authority and procedures should be made to condemn jails that are not operated and maintained in accordance with these stand-

¹Appendix D

ards. The jail inspection service should have the responsibility of working with County Judges, State and County Courts, and the Sheriffs, in bringing about adequate detention facilities for the various counties in the State of Missouri and be responsible to the Director of the State Department of Corrections by submitting specific and detailed reports of observations made in each county. The Jail Inspector's duties would be to examine all institutions authorized by law to receive and detain prisoners or convicted persons and inquire into the methods and management of persons therein, and examine the condition of buildings and grounds and other property connected with any such institution and all matters relating to its management. Visit all places in which persons convicted or suspected of crime are confined, and ascertain their arrangement for the separation of the hardened criminals from impressionable offenders and persons suspected of crime or detained as witnesses; collect statistics concerning the inmates, their treatment, employment and reformation; collect information of other facts and considerations affecting the increase or decrease of crime. Fix reasonable standards and regulations for the design, construction, repair and maintenance of jails and lock-ups with respect to their adequacy and fitness for the needs which they are to serve. Approve the selection and purchase of the site, and the plans, specifications, and erection of buildings for such institutions. Inspect any such building before it is occupied and semi-annually thereafter in respect to safety, sanitation, adequacy and fitness, and report to authorities conducting the institutions any deficiency found, and order the necessary work to correct it or construct a new building. If, within 6 months thereafter, such work is not commenced, or not completed within a reasonable period thereafter, to the satisfaction of the department, he shall prohibit the use of such building until said order is complied with.

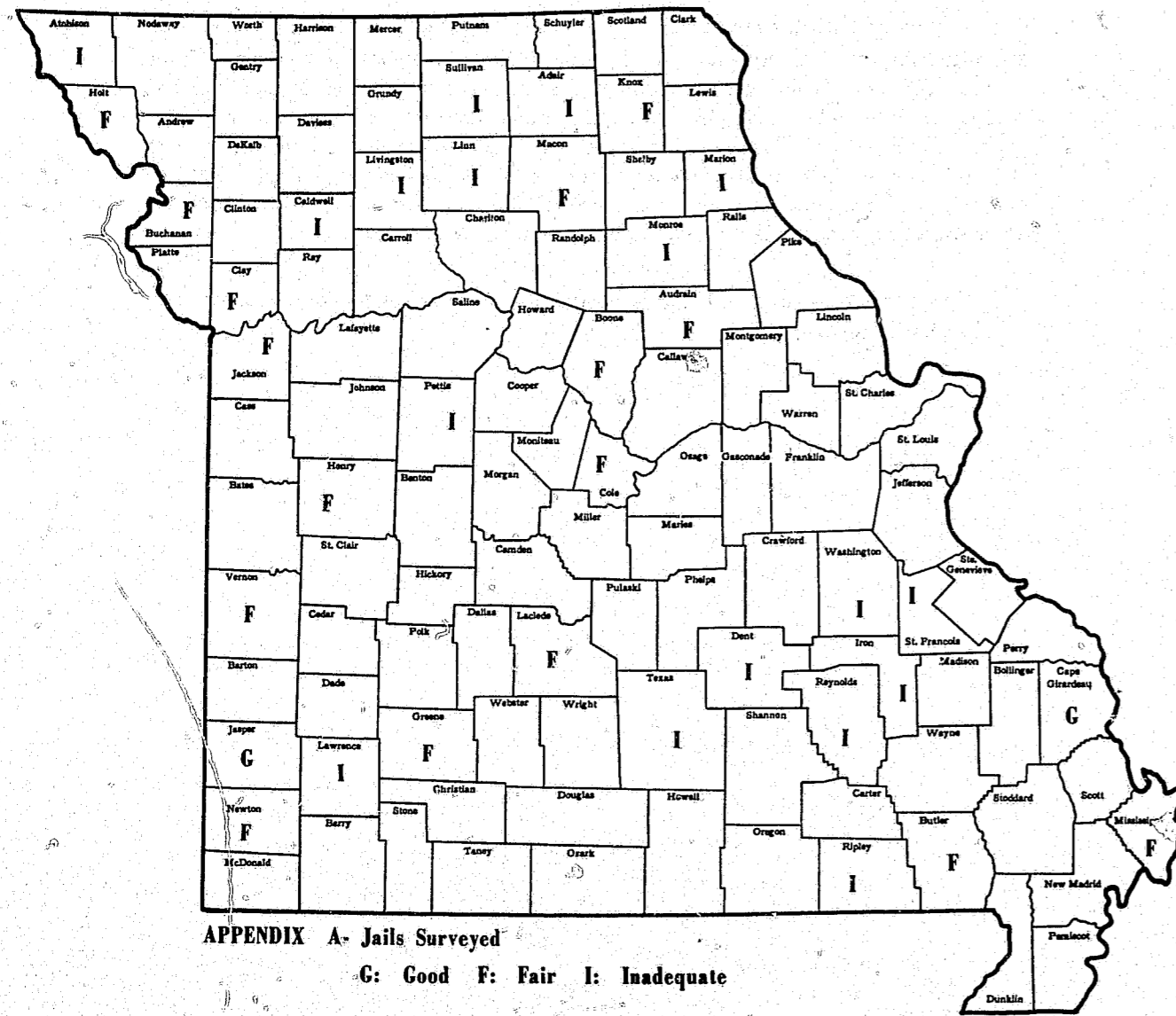
3. The jail inspection service should have the responsibility for developing a mandatory standards and training system for all jail personnel. The system should establish minimum standards for employment of personnel, develop orientation and training programs to assist personnel to meet the standards, and provide continuous in-service training. The system should include a vigorous recruitment program and development of employment conditions likely to attract and retain good employees.
4. Authority for appointing a State Jail Inspector should rest with the Director of the State Department of Corrections, and be determined by his qualifications as to experience, education, training and competency.
5. Legislation should be enacted to authorize and require the State Department of Correction to develop a system of regional jails through-out the State. The number and location of the jails should be determined by the State Jail Inspector on the basis of intensive study of the needs of the State. The present evaluation indicates the State would require approximately 25 jails. The jails that can be modified to meet the minimum standards should be incorporated into the system by purchase, lease, contract, or local-State joint operation.

The Jails should be constructed and operated to provide service to law enforcement agencies and courts as lock-ups, pre-trial detention facilities, and correctional institutions. Enabling legislation should be enacted to allow the serving of sentences in the regional jails for longer periods than the present one year maximum jail sentence. This would increase the alternatives available to the Department of Correction for assignment of prisoners, permit assignment of prisoner to institutions closer to their homes, and permit the development of diversified institutional programs.

Ideally all sentences should be to the Department of Corrections Diagnostic and Reception Center. The prisoner should be evaluated and assigned to the institution with the kind of program, population and services most appropriate for the prisoners correctional needs. All institutions in the system should place considerable emphasis on education, training and work programs.

6. Since many counties would need temporary lock-ups to supplement a regional jail system, it is recommended that where-ever possible efforts should be made to construct buildings for multiple use, including Sherriffs office and lock-ups, town police or marshalls, fire stations, substations for Highway Patrol Officers, Civil Defense and all other related government services.
7. It is suggested that in considering the necessary legislation for the improvement of detention facilities in the State that all of the various State Welfare and correctional representatives be contacted and consulted so that the legislation enacted will coordinate the services of all affected agencies and will prevent a duplication of services and facilities. Special efforts should be made to enlist the interest, support and cooperation of local officials and citizens in developing a wholesome jail system. To provide continuity for local understanding and support a citizen Advisory committee or Board of Visitors should be appointed for every jail.
8. Legislation or a Supreme Court rule is needed to authorize release of defendants on their own recognizance.

APPENDIX A



APPENDIX A- Jails Surveyed
G: Good F: Fair I: Inadequate

APPENDIX B

JAIL FACTS

NAME OF JAIL	Year Built	Rated Capacity			Average Population	Population at Time of Survey		Operating Costs	Rating by Surveyor
		Male	Female	Juvenile		Pre-trial	Sentenced		
1. Atchinson	1880	6	1	-	?	0	1	?	Inadequate
2. Clay	1929	50	1	10	47	37	-	76,235.00	Fair
3. Livingston	1860	20	2	2	16	2	3	?	Inadequate
4. Linn	1860	10	0	0	10	4	-	17,000.00	Inadequate
5. Macon	1917	48	2	2	10	?	?	?	Fair
6. Boone	1934	22	3	6	28	8	14	?	Fair
7. Pettis	1830	24	5	-	12	9	2	9,185.00	Inadequate
8. Cole	1935	54	10	-	?	6	1	20,000.00	Fair
9. Henry	1952	24	6	2	10	2	4	?	Fair
10. Vernon	1964	11	6	6	7	2	5	?	Fair
11. Jasper	1956	48	10	9	40	38	3	53,039.00	Good
12. Newton	1939	32	2	2	18	6	4	?	Fair
13. Jackson	1927	449	30	21	411	319	107	347,258.00	Fair
14. Greene	1935	123	6	12	103	104	?	93,924.00	Fair
15. Lawrence	1874	22	2	-	22	19	-	?	Inadequate
16. Laclede	1855	19	2	2	8	8	-	15,559.00	Fair
17. Texas	1931	12	4	-	?	4	7	?	Inadequate
18. Dent	1870	6	-	-	3	2	1	703.00	Inadequate
19. St. Francois	1870	20	4	6	9	12	9	10,600.00	Inadequate
20. New Madrid	1913	26	3	1	5	3	6	5,320.00	Inadequate
21. Cape Girardeau	1906	16	2	-	10	6	-	16,340.00	Good
22. Mississippi	1937	35	4	12	18	11	2	12,000.00	Fair
23. Butler	1930	40	2	8	22	5	4	18,100.00	Fair
24. Ripley	1960	6	-	-	2	2	-	2,880.00	Inadequate
25. Washington	1908	7	1	-	4	1	2	3,500.00	Inadequate
26. Montgomery	1955	14	4	2	5	-	4	5,900.00	Fair
27. Iron	1861	12	-	-	2	1	-	3,950.00	Inadequate
28. Reynolds	1932	8	-	-	1	1	-	?	Inadequate
29. Audrain	1925	40	3	8	15	2	5	8,550.00	Fair
30. Monroe	1912	8	2	-	3	2	2	4,000.00	Inadequate
31. Hannibal City	1867	8	1	2	?	1	-	?	Inadequate
32. Marion	1858	18	2	2	11	6	3	8,750.00	Inadequate
33. Buchanan	1909	140	5	10	75	35	22	54,546.00	Fair
34. Knox	1935	3	1	-	2	0	0	?	Fair
35. Adair	1915	24	1	1	10	5	5	6,250.00	Inadequate
36. Caldwell	1880	4	1	-	3	1	-	4,650.00	Inadequate
37. Sullivan (Milan City)	1925	4	-	-	2	1	-	3,200.00	Inadequate
38. Holt	1867	8	3	-	2	0	0	4,200.00	Fair
39. Salem City	?	?	?	?	?	?	?	?	Inadequate

APPENDIX C

EVALUATION CHART

JAILS OBSERVED IN STATE OF MISSOURI

NAME OF JAIL	TOWN	YEAR BUILT	RATING	*Need Additional or Improved Facilities	*Desires Assistance
Atchinson County	Rockport	1880	Inadequate	no	no
Jackson County	Kansas City	1927	Fair	yes	no
Clay County	Liberty	1929	Fair	yes	yes
Livingston County	Chillicothe	1860	Inadequate	yes	yes
Linn County	Linneus	1860	Inadequate	yes	yes
Macon County	Maçon	1917	Fair	no	no
Boone County	Columbia	1934	Fair	yes	no
Cole County	Jefferson City	1935	Fair	no	no
Pettis County	Sedalia	1830	Inadequate	yes	yes
Henry County	Clinton	1952	Fair	no	no
Vernon County	Nevada	1964	Fair	no	no
Jasper County	Carthage	1956	Good	no	no
Newton County	Neosha	1939	Fair	no	yes
Lawrence County	Mt. Vernon	1874	Inadequate	yes	yes
Greene County	Springfield	1935	Fair	yes	yes
LaCledde County	Lebanon	1955	Fair	no	no
Texas County	Houston	1931	Inadequate	yes	yes
Dent County	Salem	1870	Inadequate	yes	yes
Salem City Jail	Salem	?	Inadequate	yes	yes
St. Francois County	Farmington	1870	Inadequate	yes	yes
Cape Girardeau County	Jackson	1906	Good	no	no
New Madrid County	New Madrid	1913	Inadequate	yes	no
Mississippi County	Charleston	1937	Fair	no	no
Butler County	Poplar Bluff	1930	Fair	no	yes
Ripley County	Doniphan	1960	Inadequate	yes	yes
Reynolds County	Centerville	1932	Inadequate	yes	yes
Iron County	Ironton	1861	Inadequate	yes	yes
Washington County	Potosi	1908	Inadequate	yes	yes
Montgomery County	Montgomery City	1955	Fair	no	yes
Audrain County	Mexico	1925	Fair	no	no
Monroe County	Paris	1912	Inadequate	yes	yes
Marion County	Palmyra	1858	Inadequate	yes	yes
Hannibal City Jail	Hannibal	1860	Inadequate	yes	yes
Knox County	Edina	1935	Fair	no	no
Adair County	Kirksville	1915	Inadequate	yes	yes
Caldwell County	Kingston	1880	Inadequate	yes	yes
Buchanan County	St. Joseph	1909	Fair	yes	yes
Milan City Jail	Milan	1925	Inadequate	yes	yes
Holt County	Oregon	1870	Fair	no	no

Good	2	6%
Fair	17	43%
Inadequate	20	51%

*Column 5 Heading indicates that in some instances additional detention space is desired, in other instances it means that the present jail facilities should be replaced.

*Column 6 Denotes that the administrator of the jail desires assistance in securing a new facility, assistance in procuring improvements for the present jail, or needs help in obtaining qualified personnel and the necessary funds to procure such personnel.

APPENDIX D

JAIL STANDARDS

1. United Nations Economic and Social Council
2. Federal Bureau of Prisons
3. American Correctional Association
4. Minnesota Department of Corrections
5. Wisconsin Division of Corrections

STANDARD MINIMUM RULES FOR THE TREATMENT OF PRISONERS AND SELECTION OF PERSONNEL.

Approved by — Economic and Social Council of United Nations.

Part I. Rules General Application

Basic principle — (1) The following rules shall be applied impartially. There shall be no discrimination on grounds of race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. (2) On the other hand, it is necessary to respect the religious beliefs and moral precepts of the group to which a prisoner belongs.

Register — (1) In every place where persons are imprisoned there shall be kept a bound registration book with numbered pages in which shall be entered in respect of each prisoner received:

- (a) Information concerning his identity;
- (b) The reasons for his commitment and the authority therefor;
- (c) The day and hour of his admission and release.

(2) No person shall be received in an institution without a valid commitment order of which the details shall have been previously entered in the register.

Separation of categories — The different categories of prisoners shall be kept in separate institutions or parts of institutions taking account of their sex, age, criminal record, the legal reason for their detention and the necessities of their treatment. Thus,

- (a) Men and women shall so far as possible be detained in separate institutions; in an institution which receives both men and women the whole of the premises allocated to women shall be entirely separate;
- (b) Untried prisoners shall be kept separate from convicted prisoners;
- (c) Persons imprisoned for debt and other civil prisoners shall be kept separate from persons imprisoned by reason of a criminal offense;
- (d) Young prisoners shall be kept separate from adults.

Accommodation — (1) Where sleeping accommodation is in individual cells or rooms, each prisoner shall occupy by night a cell or room by himself. If for special reasons, such as temporary overcrowding, it becomes necessary for the central prison administration to make an exception to this rule, it is not desirable to have two prisoners in a cell or room. (2) Where dormitories are used, they shall be occupied by prisoners carefully selected as being suitable to associate with one another in those conditions. There shall be regular supervision by night, in keeping with the nature of the institution.

All accommodation provided for the use of prisoners and in particular all sleeping accommodation shall meet all requirements of health, due regard being paid to climatic conditions and particularly to cubic content of air, minimum floor space, lighting, heating and ventilation.

In all places where prisoners are required to live or work,

- (a) The windows shall be large enough to enable the prisoners to read or work by natural light, and shall be so constructed that they can allow the entrance of fresh air whether or not there is artificial ventilation;
- (b) Artificial light shall be provided sufficient for the prisoners to read or work without injury to eyesight.

The sanitary installations shall be adequate to enable every prisoner to comply with the needs of nature when necessary and in a clean and decent manner.

Adequate bathing and shower installations shall be provided so that every prisoner may be enabled and required to have a bath or shower, at a temperature suitable to the climate, as frequently as necessary for general hygiene according to season and geographical region, but at least once a week in a temperate climate.

All parts of an institution regularly used by prisoners shall be properly maintained and kept scrupulously clean at all times.

Personal hygiene — Prisoners shall be required to keep their persons clean, and to this end they shall be provided with water and with such toilet articles as are necessary for health and cleanliness.

In order that prisoners may maintain a good appearance compatible with their self-respect, facilities shall be provided for the proper care of the hair and beard, and men shall be enabled to shave regularly.

Clothing and bedding — (1) Every prisoner who is not allowed to wear his own clothing shall be provided with an outfit of clothing suitable for the climate and adequate to keep him in good health. Such clothing shall in no manner be degrading or humiliating. (2) All clothing shall be clean and kept in proper condition. Underclothing shall be changed and washed as often as necessary for the maintenance of hygiene. (3) In exceptional circumstances, whenever a prisoner is removed outside the institution for an authorized purpose, he shall be allowed to wear his own clothing or other inconspicuous clothing.

If prisoners are allowed to wear their own clothing, arrangements shall be made on their admission to the institution to ensure that it shall be clean and fit for use.

Every prisoner shall, in accordance with local or national standards, be provided with a separate bed, and with separate and sufficient bedding which shall be clean when issued, kept in good order and changed often enough to ensure its cleanliness.

Food — (1) Every prisoner shall be provided by the administration at the usual hours with food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served. (2) Drinking water shall be available to every prisoner whenever he needs it.

Exercise and sport — (1) Every prisoner who is not employed in outdoor work shall have at least one hour of suitable exercise in the open air daily if the weather permits. (2) Young prisoners, and others of suitable age and physique, shall receive physical and recreational training during the period of exercise. To this end space, installations and equipment should be provided.

Medical services — (1) At every institution there shall be available the services of at least one qualified medical officer who should have some knowledge of psychiatry. The medical services should be organized in close relationship to the general health administration of the community or nation. They shall include a psychiatric service for the diagnosis and, in proper cases, the treatment of states of mental abnormality. (2) Sick prisoners who require special treatment shall be transferred to specialized institutions or to civil hospitals. Where hospital facilities are provided in an institution, their equipment, furnishings and pharmaceutical supplies shall be proper for the medical care and treatment of sick prisoners, and there shall be a staff of suitably trained officers. (3) The services of a qualified dental officer shall be available to every prisoner.

In women's institutions there shall be special accommodation for all necessary pre-natal and post-natal care and treatment. Arrangements shall be made wherever practicable for children to

be born in a hospital outside the institution. If a child is born in prison, this fact shall not be mentioned in the birth certificate.

Where nursing infants are allowed to remain in the institution with their mothers, provision shall be made for a nursery staffed by qualified persons, where the infants shall be placed when they are not in the care of their mothers.

The medical officer shall see and examine every prisoner as soon as possible after his admission and thereafter as necessary, with a view particularly to the discovery of physical or mental illness and the taking of all necessary measures; the segregation of prisoners suspected of infectious or contagious conditions; the noting of physical or mental defects which might hamper rehabilitation, and the determination of the physical capacity of every prisoner for work.

The medical officer shall have the care of the physical and mental health of the prisoners and should daily see all sick prisoners, all who complain of illness, and any prisoner to whom his attention is specially directed.

The medical officer shall report to the director whenever he considers that a prisoner's physical or mental health has been or will be injuriously affected by continued imprisonment or by any condition of imprisonment.

The medical officer shall regularly inspect and advise the director upon:

- (a) The quantity, quality, preparation and service of food;
- (b) The hygiene and cleanliness of the institution and the prisoners;
- (c) The sanitation, heating, lighting and ventilation of the institution;
- (d) The suitability and cleanliness of the prisoners' clothing and bedding;
- (e) The observance of the rules concerning physical education and sports, in cases where there is no technical personnel in charge of these activities.

The director shall take into consideration the reports and advice that the medical officer submits according to rules and, in case he concurs with the recommendation made, shall take immediate steps to give effect to those recommendations; if they are not within his competence or if he does not concur with them, he shall immediately submit his own report and the advice of the medical officer to higher authority.

Discipline and punishment – Discipline and order shall be maintained with firmness, but with no more restriction than is necessary for safe custody and well-ordered community life.

No prisoner shall be employed, in the service of the institution, in any disciplinary capacity.

This rule shall not, however, impede the proper functioning of systems based on self-government, under which specified social, educational or sports activities or responsibilities are entrusted, under supervision, to prisoners who are formed into groups for the purposes of treatment.

The following shall always be determined by the law or by the regulation of the competent administrative authority:

- (a) Conduct constituting a disciplinary offense;
- (b) The types and duration of punishment which may be inflicted.
- (c) The authority competent to impose such punishment.

No prisoner shall be punished except in accordance with the terms of such law or regulation, and never twice for the same offense.

No prisoner shall be punished unless he has been informed of the offense alleged against him and given a proper opportunity of presenting his defense. The competent authority shall conduct a thorough examination of the case.

Where necessary and practicable the prisoner shall be allowed to make his defense through an interpreter.

Corporal punishment, punishment by placing in a dark cell, and all cruel, inhuman or degrading punishment shall be completely prohibited as punishments for disciplinary offenses.

Punishment by close confinement or reduction of diet shall never be inflicted unless the medical officer has examined the prisoner and certified in writing that he is fit to sustain it.

The same shall apply to any other punishment that may be prejudicial to the physical or mental health of a prisoner. In no case may such punishment be contrary to or depart from the principle stated in previous paragraphs.

The medical officer shall visit daily prisoners undergoing such punishments and shall advise the director if he considers the termination or alteration of the punishment necessary on grounds of physical or mental health.

Instruments of restraint – Instruments of restraint, such as handcuffs, chains, irons and strait-jackets, shall never be applied as a punishment. Furthermore, chains or irons shall not be used as restraints. Other instruments of restraint shall not be used except in the following circumstances:

- (a) As a precaution against escape during a transfer, provided that they shall be removed when the prisoner appears before a judicial or administrative authority;
- (b) On medical grounds by direction of the medical officer;
- (c) By order of the director, if other methods of control fail, in order to prevent a prisoner from injuring himself or others or from damaging property; in such instances the director shall at once consult the medical officer and report to the higher administrative authority.

The patterns and manner of use of instruments of restraint shall be decided by the central prison administration. Such instruments must not be applied for any longer time than is strictly necessary.

Information to and complaints by prisoners – Every prisoner on admission shall be provided with written information about the regulations governing the treatment of prisoners of his category, the disciplinary requirements of the institution, the authorized methods of seeking information and making complaints, and all such other matters as are necessary to enable him to understand both his rights and his obligations and to adapt himself to the life of the institution.

If a prisoner is illiterate, the aforesaid information shall be conveyed to him orally.

Every prisoner shall have the opportunity each week day of making requests or complaints to the director of the institution or the officer authorized to represent him.

It shall be possible to make requests or complaints to the inspector of prisons during his inspection. The prisoner shall have the opportunity to talk to the inspector or to any other inspecting officer without the director or other members of the staff being present.

Every prisoner shall be allowed to make a request or complaint, without censorship as to sub-

stance but in proper form, to the central prison administration, the judicial authority or other proper authorities through approved channels.

Unless it is evidently frivolous or groundless, every request or complaint shall be promptly dealt with and replied to without undue delay.

Contact with the outside world — Prisoners shall be allowed under necessary supervision to communicate with their family and reputable friends at regular intervals, both by correspondence and by receiving visits.

Prisoners who are foreign nationals shall be allowed reasonable facilities to communicate with the diplomatic and consular representatives of the State to which they belong.

Prisoners who are nationals of States without diplomatic or consular representation in the country and refugees or stateless persons shall be allowed similar facilities to communicate with the diplomatic representative of the State which takes charge of their interests or any national or international authority whose task it is to protect such persons.

Prisoners shall be kept informed regularly of the more important items of news by the reading of newspapers, periodicals or special institutional publications, by hearing wireless transmissions, by lectures or by any similar means as authorized or controlled by the administration.

Books — Every institution shall have a library for the use of all categories of prisoners, adequately stocked with both recreational and instructional books, and prisoners shall be encouraged to make full use of it.

Religion — If the institution contains a sufficient number of prisoners of the same religion, a qualified representative of that religion shall be appointed or approved. If the number of prisoners justifies it and conditions permit, the arrangement shall be on a full-time basis.

A qualified representative appointed or approved under above paragraph shall be allowed to hold regular services and to pay pastoral visits in private to prisoners of his religion at proper times.

Access to a qualified representative of any religion shall not be refused to any prisoner. On the other hand, if any prisoner should object to a visit of any religious representative, his attitude shall be fully respected.

So far as practicable, every prisoner shall be allowed to satisfy the needs of his religious life by attending the services provided in the institution and having in his possession the books of religious observance and instruction of his denomination.

Retention of prisoners' property — All money, valuables, clothing and other effects belonging to a prisoner which under the regulations of the institution he is not allowed to retain shall on his admission to the institution be placed in safe custody. An inventory thereof shall be signed by the prisoner. Steps shall be taken to keep them in good condition.

On the release of the prisoner all such articles and money shall be returned to him except in so far as he has been authorized to spend money or send any such property out of the institution, or it has been found necessary on hygienic grounds to destroy any article of clothing. The prisoner shall sign a receipt for the articles and money returned to him.

Any money or effects received for a prisoner from outside shall be treated in the same way.

If a prisoner brings in any drugs or medicine, the medical officer shall decide what use shall be made of them.

Notification of death, illness, transfer, etc. — Upon the death or serious injury to a prisoner, or his removal to an institution for the treatment of mental afflictions, the director shall at once inform the spouse, if the prisoner is married, or the nearest relative and shall in any event inform any other person previously designated by the prisoner.

A prisoner shall be informed at once of the death or serious illness of any near relative. In case of the critical illness of a near relative, the prisoner should be authorized, whenever circumstances allow, to go to his bedside either under escort or alone.

Every prisoner shall have the right to inform at once his family of his imprisonment or his transfer to another institution.

Removal of prisoners — When prisoners are being removed to or from an institution, they shall be exposed to public view as little as possible, and proper safeguards shall be adopted to protect them from insult, curiosity and publicity in any form.

The transport of prisoners in conveyances with inadequate ventilation of light, or in anyway which would subject them to unnecessary physical hardship, shall be prohibited.

The transport of prisoners shall be carried out at the expense of the administration and equal conditions shall obtain for all of them.

Institutional personnel — The prison administration shall provide for the careful selection of every grade of the personnel, since it is on their integrity, humanity, professional capacity and personal suitability for the work that the proper administration of the institution depends.

The prison administration shall constantly seek to awaken and maintain in the minds both of the personnel and of the public the conviction that this work is a social service of great importance, and to this end all appropriate means of informing the public should be used.

To secure the foregoing ends, personnel shall be appointed on a full-time basis as professional prison officers and have civil service status with security of tenure subject only to good conduct, efficiency and physical fitness. Salaries shall be adequate to attract and retain suitable men and women; employment benefits and conditions of service shall be favorable in view of the exacting nature of the work.

The personnel shall possess an adequate standard of education and intelligence.

Before entering on duty, the personnel shall be given a course of training in their general and specific duties and be required to pass theoretical and practical tests.

After entering on duty and during their career, the personnel shall maintain and improve their knowledge and professional capacity by attending courses of in-service training to be organized at suitable intervals.

All members of the personnel shall at all times so conduct themselves and perform their duties as to influence the prisoners for good by their examples and to command their respect.

So far as possible, the personnel shall include a sufficient number of specialists such as psychiatrists, psychologists, social workers, teachers and trade instructors.

The services of social workers, teachers and trade instructors shall be secured on a permanent basis, without thereby excluding part-time or voluntary workers.

The director of an institution should be adequately qualified for his task by character, administrative ability, suitable training and experience.

He shall devote his entire time to his official duties and shall not be appointed on a part-time basis.

He shall reside on the premises of the institution or in its immediate vicinity.

When two or more institutions are under the authority of one director, he shall visit each of them at frequent intervals. A responsible resident official shall be in charge of each of these institutions.

The director, his deputy, and the majority of the other personnel of the institution shall be able to speak the language of the greatest number of prisoners, or a language understood by the greatest number of them.

Whenever necessary, the services of an interpreter shall be used.

In institutions which are large enough to require the services of one or more full-time medical officers, at least one of them shall reside on the premises of the institution or in its immediate vicinity.

In other institutions the medical officer shall visit daily and shall reside near enough to be able to attend without delay in cases of urgency.

In an institution for both men and women, the part of the institution set aside for women shall be under the authority of a responsible woman officer who shall have the custody of the keys of all that part of the institution.

No male member of the staff shall enter the part of the institution set aside for women unless accompanied by a woman officer.

Women prisoners shall be attended and supervised only by women officers. This does not, however, preclude male members of the staff, particularly doctors and teachers, from carrying out their professional duties in institutions or parts of institutions set aside for women.

Officers of the institution shall not, in their relations with the prisoners, use force except in self-defense or in cases of attempted escape, or active or passive physical resistance to an order based on law or regulations. Officers who have recourse to force must use no more than is strictly necessary and must report the incident immediately to the director of the institution.

Prison officers shall be given special physical training to enable them to restrain aggressive prisoners.

Except in special circumstances, staff performing duties which bring them into direct contact with prisoners should not be armed. Furthermore, staff should in no circumstances be provided

with arms unless they have been trained in their use.

Inspection — There shall be a regular inspection of penal institutions and services by qualified and experienced inspectors appointed by a competent authority. Their task shall be in particular to ensure that these institutions are administered in accordance with existing laws and regulations and with a view to bringing about the objectives of penal and correctional services.

Part II. Rules applicable to Special Categories

Prisoners Under Sentence

Guiding principles — The guiding principles hereafter are intended to show the spirit in which penal institutions should be administered and the purposes at which they should aim, in accordance with the declaration made under Preliminary Observation I of the present text.

Imprisonment and other measures which result in cutting off an offender from the outside world are afflictive by the very fact of taking from the person the right of self-determination by depriving him of his liberty. Therefore the prison system shall not, except as incidental to justifiable segregation or the maintenance of discipline, aggravate the suffering inherent in such a situation.

The purpose and justification of a sentence of imprisonment or a similar measure deprivative of liberty is ultimately to protect society against crime. This end can only be achieved if the period of imprisonment is used to ensure, so far as possible, that upon his return to society the offender is not only willing but able to lead a law-abiding and self-supporting life.

To this end, the institution should utilize all the remedial, educational, moral, spiritual and other forces and forms of assistance which are appropriate and available, and should seek to apply them according to the individual treatment needs of the prisoners.

The regime of the institution should seek to minimize any differences between prison life and life at liberty which tend to lessen the responsibility of the prisoners or the respect due to their dignity as human beings.

Before the completion of the sentence, it is desirable that the necessary steps be taken to ensure for the prisoner a gradual return to life in society. This aim may be achieved, depending on the case, by a pre-release regime organized in the same institution or in another appropriate institution, or by release on trial under some kind of supervision which must not be entrusted to the police but should be combined with effective social aid.

The treatment of prisoners should emphasize not their exclusion from the community, but their continuing part in it. Community agencies should, therefore, be enlisted wherever possible to assist the staff of the institution in the task of social rehabilitation of the prisoners. There should be in connection with every institution social workers charged with the duty of maintaining and improving all desirable relations of a prisoner with his family and with valuable, social agencies. Steps should be taken to safeguard, to the maximum extent compatible with the law and the sentence, the rights relating to civil interests, social security rights and other social benefits of prisoners.

The medical services of the institution shall seek to detect and shall treat any physical or mental illnesses or defects which may hamper a prisoner's rehabilitation. All necessary medical, surgical and psychiatric services shall be provided to that end.

The fulfilment of these principles requires individualization of treatment and for this purpose a

flexible system of classifying prisoners in groups; it is therefore desirable that such groups should be distributed in separate institutions suitable for the treatment of each group.

These institutions need not provide the same degree of security for every group. It is desirable to provide varying degrees of security according to the needs of different groups. Open institutions by the very fact that they provide no physical security against escape but rely on the self-discipline of the inmates, provide the conditions most favorable to rehabilitation for carefully selected prisoners.

It is desirable that the number of prisoners in closed institutions should not be so large that the individualization of treatment is hindered. In some counties it is considered that the population of such institutions should not exceed five hundred. In open institutions the population should be as small as possible.

On the other hand, it is undesirable to maintain prisons which are so small that proper facilities cannot be provided.

The duty of society does not end with a prisoner's release. There should, therefore, be governmental or private agencies capable of lending the released prisoner efficient after-care directed towards the lessening of prejudice against him and towards his social rehabilitation.

Treatment — The treatment of persons sentenced to imprisonment or a similar measure shall have as its purpose, so far as the length of the sentence permits, to establish in them the will to lead law-abiding and self-supporting lives after their release and to fit them to do so. The treatment shall be such as will encourage their self-respect and develop their sense of responsibility.

To these ends, all appropriate means shall be used, including religious care in the counties where this is possible, education, vocational guidance and training, social casework, employment counseling, physical development and strengthening of moral character, in accordance with the individual needs of each prisoner, taking account of his social and criminal history, his physical and mental capacities and aptitudes, his personal temperament, the length of his sentence and his prospects after release.

For every prisoner with a sentence of suitable length, the director shall receive, as soon as possible after his admission, full reports on all the matters referred to in the foregoing paragraph. Such reports shall always include a report by a medical officer, wherever possible qualified in psychiatry, on the physical and mental condition of the prisoner.

The reports and other relevant documents shall be placed in an individual file. This file shall be kept up to date and classified in such a way that it can be consulted by the responsible personnel whenever the need arises.

Classification and individualization — The purposes of classification shall be:

- (a) To separate from others those prisoners who, by reason of their criminal records or bad characters, are likely to exercise a bad influence;
- (b) To divide the prisoners into classes in order to facilitate their treatment with a view to their social rehabilitation.

So far as possible separate institutions or separate sections of an institution shall be used for the treatment of the different classes of prisoners.

As soon as possible after admission and after a study of the personality of each prisoner with a

sentence of suitable length, a program of treatment shall be prepared for him in the light of the knowledge obtained about his individual needs, his capacities and dispositions.

Privileges — Systems of privileges appropriate for the different classes of prisoners and the different methods of treatment shall be established at every institution in order to encourage good conduct, develop a sense of responsibility and secure the interest and cooperation of the prisoners in their treatment.

Work — Prison labor must not be of an afflictive nature. All prisoners under sentence shall be required to work, subject to their physical and mental fitness as determined by the medical officer.

Sufficient work of a useful nature shall be provided to keep prisoners actively employed for a normal working day.

So far as possible the work provided shall be such as will maintain or increase the prisoners' ability to earn an honest living after release.

Vocational training in useful trades shall be provided for prisoners able to profit thereby and especially for young prisoners.

Within the limits compatible with proper vocational selection and with the requirements of institutional administration and discipline, the prisoners shall be able to choose the type of work they wish to perform.

The organization and methods of work in the institution shall resemble as closely as possible those of similar work outside institutions, so as to prepare prisoners for the conditions of normal occupational life.

The interests of the prisoners and of their vocational training, however, must not be subordinated to the purpose of making a financial profit from an industry in the institution.

Preferably institutional industries and farms should be operated directly by the administration and not by private contractors.

Where prisoners are employed in work not controlled by the administration, they shall always be under the supervision of the institution's personnel. Unless the work is for other departments of the government the full normal wages for such work shall be paid to the administration by the persons to whom the labor is supplied, account being taken of the output of the prisoners.

The precautions laid down to protect the safety and health of free workmen shall be equally observed in institutions.

Provision shall be made to indemnify prisoners against industrial injury, including occupational disease, on terms not less favorable than those extended by law to free workmen.

The maximum daily and weekly working hours of the prisoners shall be fixed by law or by administrative regulation, taking into account local rules or custom in regard to the employment of free workmen.

The hours so fixed shall leave one rest day a week and sufficient time for education and other

activities required as part of the treatment and rehabilitation of the prisoners.

There shall be a system of equitable remuneration of the work of prisoners.

Under the system prisoners shall be allowed to spend at least a part of their earnings on approved articles for their own use and to send a part of their earnings to their family.

The system should also provide that a part of the earnings should be set aside by the administration so as to constitute a savings fund to be handed over to the prisoner on his release.

Education and Recreation — Provision shall be made for the further education of all prisoners capable of profiting thereby, including religious instruction in the countries where this is possible. The education of illiterates and young prisoners shall be compulsory and special attention shall be paid to it by the administration.

So far as practicable, the education of prisoners shall be integrated with the educational system of the country so that after their release they may continue their education without difficulty.

Recreational and cultural activities shall be provided in all institutions for the benefit of the mental and physical health of prisoners.

Social relations and after-care — Special attention shall be paid to the maintenance and improvement of such relations between a prisoner and his family as are desirable in the best interests of both.

From the beginning of a prisoner's sentence consideration shall be given to his future after release and he shall be encouraged and assisted to maintain or establish such relations with persons or agencies outside the institution as may promote the best interests of his family and his own social rehabilitation.

Services and agencies, governmental or otherwise, which assist released prisoners to reestablish themselves in society shall ensure, so far as is possible and necessary, that released prisoners be provided with appropriate documents and identification papers, have suitable homes and work to go to, are suitably and adequately clothed having regard to the climate and season, and have sufficient means to reach their destination and maintain themselves in the period immediately following their release.

The approved representatives of such agencies shall have all necessary access to the institution and to prisoners and shall be taken into consultation as to the future of a prisoner from the beginning of his sentence.

It is desirable that the activities of such agencies shall be centralized or co-ordinated as far as possible in order to secure the best use of their efforts.

Insane and mentally abnormal prisoners — Persons who are found to be insane shall not be detained in prisons and arrangements shall be made to remove them to mental institutions as soon as possible.

Prisoners who suffer from other mental diseases or abnormalities shall be observed and treated in specialized institutions under medical management.

During their stay in a prison, such prisoners shall be placed under the special supervision of a medical officer.

The medical or psychiatric service of the penal institutions shall provide for the psychiatric treatment of all other prisoners who are in need of such treatment.

It is desirable that steps should be taken, by arrangement with the appropriate agencies, to ensure if necessary the continuation of psychiatric treatment after release and the provision of social-psychiatric after-care.

Prisoners under arrest or awaiting trial — Persons arrested or imprisoned by reason of a criminal charge against them, who are detained either in police custody or in prison custody (jail) but have not yet been tried and sentenced, will be referred to as "untried prisoners" hereinafter in these rules.

Unconvicted prisoners are presumed to be innocent and shall be treated as such.

Without prejudice to legal rules for the protection of individual liberty or prescribing the procedure to be observed in respect of untried prisoners, these prisoners shall benefit by a special regime which is described in the following rules in its essential requirements only.

Untried prisoners shall be kept separate from convicted prisoners.

Young untried prisoners shall be kept separate from adults and shall in principle be detained in separate institutions.

Untried prisoners shall sleep singly in separate rooms, with the reservation of different local custom in respect of the climate.

Within the limits compatible with the good order of the institution, untried prisoners may, if they so desire, have their food procured at their own expense from the outside, either through the administration or through their family or friends. Otherwise, the administration shall provide their food.

An untried prisoner shall be allowed to wear his own clothing if it is clean and suitable.

If he wears prison dress, it shall be different from that supplied to convicted prisoners.

An untried prisoner shall always be offered opportunity to work, but shall not be required to work. If he chooses to work, he shall be paid for it.

An untried prisoner shall be allowed to procure at his own expense or at the expense of a third party such books, newspapers, writing materials and other means of occupation as are compatible with the interests of the administration of justice and the security and good order of the institution.

An untried prisoner shall be allowed to be visited and treated by his own doctor or dentist if there is reasonable ground for his application and he is able to pay any expenses incurred.

An untried prisoner shall be allowed to inform immediately his family of his detention and shall

be given all reasonable facilities for communicating with his family and friends, and for receiving visits from them, subject only to such restrictions and supervision as are necessary in the interests of the administration of justice and of the security and good order of the institution.

For the purposes of his defense, an untried prisoner shall be allowed to apply for free legal aid where such aid is available, and to receive visits from his legal adviser with a view to his defense and to prepare and hand to him confidential instructions. For these purposes, he shall if he so desires be supplied with writing material. Interviews between the prisoner and his legal adviser may be within sight but not within the hearing of a police or institutional official.

Civil prisoners — In countries where the law permits imprisonment for debt or by order of a court under any other non-criminal process, persons so imprisoned shall not be subjected to any greater restriction or severity than is necessary to ensure safe custody and good order. Their treatment shall be not less favorable than that of untried prisoners, with the reservation, however, that they may possibly be required to work.

FEDERAL BUREAU OF PRISONS

JAIL STANDARDS

1. A jail should be under the direct management and control of a person qualified by training and experience to supervise and control prisoners. As many persons as are necessary to provide constant supervision over the prisoners should be employed and be under authority of the head official. Salaries should be sufficient to attract persons of high caliber.
2. Jail officials should have a set of policies and regulations for the operation of the jail, for the employees and for the inmates.
3. The building should be structurally sound, secure, fire-resistant, properly heated, ventilated and lighted. (Vermin breed in dark corners.) Windows should be screened. There should be a good locking system and the devices should be in operating order.
4. All parts of the jail should be kept immaculately clean.
5. Kangaroo courts or similar inmate organizations should be prohibited. No prisoner should be allowed to have authority over any other prisoners. Employees should fulfill their own responsibilities and not turn them over to prisoners any more than a hospital superintendent turns over his responsibilities to the patients.
6. Brutal treatment by employees or prisoners should be prohibited. No prisoner should be permitted special privileges. Trustees, so-called, should be under the supervision of employees.
7. A competent physician should be available to take care of the medical needs of the prisoners, and to give each prisoner a medical examination when admitted to the jail.
8. Juveniles should not be held in jails, but if committed should be definitely segregated and well supervised.
9. Prisoners with contagious diseases, hardened criminals, and the sexes should be segregated.
10. Women prisoners should be under the supervision of a matron at all times. No male employee should have keys to the women's quarters or be permitted to go there unless accompanied by a matron. Male prisoners should never be permitted to go to the women's quarters to bring food or for any other purpose.
11. Prisoners should be fed three times each day. The food should have the proper nutritive value and be prepared and served in a wholesome and palatable way. The eating utensils should be returned to the kitchen and washed with soap and scalding water after each meal.
12. Adequate bathing and toilet facilities should be available, and water, soap, towels, and tooth brushes should be supplied to prisoners. These are essential to the health of any human being — prisoners not excepted.
13. Convicted prisoners should be kept employed. An ingenious jail official can find many ways to occupy the prisoners working for the state or city or county, without interfering with private industry or free labor. They can work on salvaging government property; repair autos, trucks

and other items; paint bridges; some of them can work on the highways under proper supervision; and perform other useful jobs. They should also be required to keep their own quarters and other sections of the jail clean. This work should be done under the supervision of an employee. Prisoners who have not been convicted should be given the opportunity to work within the jail confines if they care to do so. Useful occupation stimulates self-respect; idleness breeds trouble and leads to more crime.

14. There should be good reading material available. Outdoor exercise should be required, and provisions made for education and religious instruction.
15. Prisoners' legal rights should be protected and they should be given every reasonable opportunity to confer with their attorneys, but the jail officials should see that they are not fleeced or exploited by unscrupulous persons.
16. Regular visiting by the family and friends of the prisoners should be permitted under reasonable conditions and under supervision.

Federal Bureau of Prisons
Department of Justice

MINIMUM STANDARDS FOR JAILS OF AMERICAN CORRECTIONAL ASSOCIATION¹

1. State Supervision.

Jails are an integral part of the total correctional process and have a direct impact upon all offenders. Therefore, a state correctional authority should be empowered to exercise supervision over the jails within the state by means of standard setting.

A state agency empowered with proper authority can be a major factor in jail improvement. Such an agency should be vested under the law with the following duties and powers:

- (a) To prescribe minimum standards for the construction and operation of jails, including the qualifications and training of personnel.
- (b) To inspect jails and to have full authority to establish and enforce procedures concerned with the safekeeping, health, and welfare of all persons committed to them.
- (c) To have the authority to prescribe rules and regulations for the control and discipline of prisoners.
- (d) To be empowered to transfer prisoners, whether awaiting trial or under sentence, to other local or state institutions whenever a jail is disapproved or closed or when it is necessary for the health, safety, or well-being of the prisoners, and to have funds appropriated for its use sufficient to pay the costs of such transfers.
- (e) To be empowered to establish consolidated facilities for the housing of sentenced prisoners wherever practicable.
- (f) To approve plans and specifications for the building of new jails or the renovation or revision of existing facilities.
- (g) To be empowered to review budgets for the maintenance of jails, determine the per capita charges to be made for the safekeeping of prisoners when they are transferred outside the county, and require the deposit of all fees and charges collected for the maintenance of prisoners to the credit of the appropriate fund.

2. Consolidated Jails.

The use of consolidated jails for the detention of sentenced prisoners in lieu of individual local facilities is economical and promotes higher standards of security and inmate treatment.

Ideally, jails should be used only for detention of prisoners awaiting court action and those few short-sentence prisoners who require maximum security. Other short-sentence prisoners should be housed in special institutions such as farms, camps, workhouses, etc., which can provide full employment, remedial services, and constructive leisure-time activities. This correctional treatment of sentenced offenders requires more complex facilities and a larger

¹Manual of Correctional Standards, 1966.

staff than can be provided by the average county or city. An institution serving several jurisdictions, however, can draw on the resources of all and with this pooling of funds can offer a planned correctional program for short-sentence offenders. The existing jails then can revert to their proper function of housing prisoners awaiting trial.

3. Planning the new jail.

In planning the new jail the observance of minimum standards based on the best available experience in jail design and administration will substantially promote economy in construction and efficiency and economy of operation.

4. Personnel standards.

The selection, training, and promotion of jail personnel on a merit basis is the foundation of good jail management.

5. Receiving prisoners.

Effective methods and procedures in receiving prisoners in the jail are fundamental to good jail management.

6. Custody and security and prisoner control.

The safekeeping of persons charged with or convicted of crime is the primary function of the jail. Twenty-four-hour supervision by trained personnel is fundamental to the maintenance of secure custody.

7. Food.

Nutritious food, properly prepared and served, is essential to the preservation of health and is a basic human right which cannot be denied to jail inmates.

8. Sanitation and safety.

High standards of sanitation and safety in the jail are imperative and their strict observance is the earmark of an efficiently administered jail.

9. Medical and health services.

The preservation of health and the prompt treatment of illness or injury is a basic right of every person detained in jail.

10. Inmate employment and activities.

Useful employment and constructive leisure-time activities are an assurance against the damaging effects of idleness and are essential to the program of every jail housing prisoners held for service of sentence or for long periods awaiting trial.

11. "Unusual" prisoners.

Special methods are required in handling several special classes of prisoners, such as juve-

nile offenders, females, alcoholics, narcotic addicts, the mentally ill, escape-minded prisoners, sex deviates, and others.

12. Correctional services.

All jail inmates have personal and or family problems. Skilled help with these problems given during incarceration may help to prevent further and more serious crime. The jail administration should accept the responsibility of providing such help, either through properly qualified personnel on the jail staff or through intelligent use of resources within the community.

13. Community relationships.

The effective jail administrator promotes community understanding of the jail's objectives and methods and makes use of the many resources available in the community to develop and enrich his program.

STATE OF MINNESOTA
DEPARTMENT OF CORRECTIONS
310 STATE OFFICE BLDG.
ST. PAUL, MINNESOTA
55101

STATUTORY PROVISIONS RELATING TO JAIL AND LOCKUP CONSTRUCTION
AND OPERATION

- 241.021 SUPERVISION OVER CORRECTIONAL INSTITUTIONS, JAILS, LOCKUPS.
. . . . The commissioner of corrections shall examine all estimated cost in excess of the limits set by Minnesota Statutes, adopted by the county or other municipal board, and have an advisory supervision over all such institutions
- 636.07 CARE AND CUSTODY OF MINORS.
. . . . Person having charge of minor shall provide separate place of confinement
- 641.04 COMMITMENT PRESERVED.
Every instrument by which a prisoner is committed or liberated, shall be endorsed, filed, and safely kept
- 641.05 REGISTER OF PRISONERS (County Jail).
Every sheriff shall keep a register of all prisoners
- 642.07 REGISTER OF PRISONERS (Lockup).
. . . . The chief of police or marshall shall keep a complete register of all prisoners
- 641.01 & 642.02 Subd. 2 JAILER ON DUTY.
. . . . A jailer or custodian shall be present during the time any prisoner is detained in jail or lockup.
- 641.15 PRISONERS; FEEDING, CARE.
The county board shall provide jail suits of coarse material underclothing, bedding, towels, and medical aid for prisoners
. . . . The sheriff shall keep the jail in a clean condition, and serve each (prisoner) three times a day with a sufficient quantity of wholesome, well cooked food.
- 641.16 Every keeper of a jail shall provide a copy of the Bible All immoral books and papers and those largely composed of accounts of crime shall be excluded from every jail.
- 642.08 The chief executive officer of every city or village having a lockup shall appoint some competent woman of good character as matron

STANDARDS - JAILS AND LOCKUPS

I. Jail and Lockup Security

A. Firearms

1. No firearms shall be permitted within a jail or lockup proper, either in storage or on the person of any jailer.
2. All firearms should be kept in a secure, locked case or cabinet outside the jail or lockup proper, beyond the reach of any prisoner.
3. Jailers should be required to know how to handle safely all firearms they may be required to care for or use.

B. Tear Gas

1. Tear gas in suppressing disturbances should be used only by a thoroughly trained person.

C. Prisoner Search

1. Every prisoner, old or new, should be searched thoroughly before entering a jail or lockup, and a receipt issued for all items taken from the prisoner. Prisoners permitted to leave the jail under a work program should be thoroughly searched before re-entering the jail.

D. Trusties

1. While the use of trusties is permissible under good jail practice, they should be supervised at all times when they are out of their quarters.
2. Trusties should not be allowed unrestricted freedom.
3. Trusties should not be charged with responsibilities which are properly the prerogatives of jail or lockup personnel.

E. Control of Keys

1. A system of control should be established which will fix, exactly, the location of all keys at any moment, day or night.

F. Prisoner Counts

1. All prisoners shall be completely accounted for by jail or lockup personnel at least every six hours, and spot checked every hour.

G. Control of Tools

1. A check-out system of control should be established for all tools, and they should be

checked out to employees solely.

2. Prisoners shall never be allowed to use tools except while under direct supervision.
3. Kitchen knives and other equipment used in food preparation or its consumption must be controlled as carefully as other tools.

H. Emergency Plans

1. Any escape, major disturbance, or other emergency should be reported immediately by an adequate alarm system to proper outside agencies.

I. Transporting Prisoners

1. Treatment of prisoners should be humane, considerate, but firm.
2. Prisoners should be searched whenever they are taken into custody.
3. Firearms should be carried with caution when escorting prisoners.
4. Prisoners must not be given information concerning destination, stops, time of arrival, etc., concerning plans of a trip.
5. Prisoners should never be allowed to be out of sight.
6. Periodic, and unsuspected, inspections of handcuffs should be made.
7. Any escape should be reported immediately to the nearest law-enforcement agency.

II. Feeding Prisoners

- A. Each prisoner should be fed three times each 24 hours.
- B. Menus should be planned, varied and retained on file for inspection.
- C. Each prisoner should receive daily some foods from each of the following groups:

Group I Leafy, green, and yellow vegetables, fresh or canned. One or more servings each day.

Group II Oranges, grapefruit, tomatoes, or raw cabbage. One or more servings each day.

Group III Potatoes, root vegetables, or fruits, two or more servings each day.

Group IV Milk and cheese. One pint or equivalent each day.

Group V Meat, fish, dried peas, or beans. One-two servings each day.

Group VI Bread, flour, and cereals. Each day.

Group VII Butter or margarine. Some daily.

III. Sanitation and Housekeeping

- A. The responsibility for keeping the jail or lockup clean and eliminating accident hazards shall not be turned over to prisoners.
- B. All parts of the jail or lockup shall be inspected daily by the person responsible for sanitation.
- C. The health officer of every city or village having a lockup is required by law to inspect annually the lockup for sanitary reasons and file a written report with the governing body of the city or village, and submit a copy to the State Department of Corrections.
- D. All parts of a jail or lockup should be kept clean, swept daily, and thoroughly cleaned every week when in use.
- E. Quarters shall be adequately ventilated, lighted, and heated when in use.
- F. Sheets and pillow cases shall be changed and washed each week, and blankets laundered for each new inmate.
- G. Adequate bathing facilities shall be provided.
- H. Adequate refrigeration facilities must be provided.
- I. Kitchen facilities and food-serving equipment must be kept hospital-clean.

IV. Receiving Prisoners

- A. No person should be detained in any jail or lockup unless the law-enforcement officer secures legal authority before or very soon after imprisonment.
- B. All prisoners except juveniles should be photographed and fingerprinted as soon as possible after commitment.
- C. All new prisoners should be bathed and searched.
- D. An admission and discharge record must be kept as required by law.

V. Medical and Health Services

- A. Every new prisoner should be given a physical examination by a doctor at the time of admission; or segregated until such examination can be accomplished.
- B. Adequate segregation of the sick is essential for the protection of the well.
- C. The services of a medical doctor or of a dentist shall be available to all prisoners who request such services, or whenever the jail or lockup officials believe those services are needed for a prisoner.
- D. A medical record shall be kept and proper medical attention provided in all jails.

WISCONSIN DIVISION OF CORRECTIONS
LEGAL RESPONSIBILITY OF THE DEPARTMENT

Section 46.06 (e) The Department shall examine all institutions authorized by law to receive and detain witnesses or prisoners or convicted persons and places of juvenile detention, and inquire into their methods and the management of persons therein, and examine the conditions of buildings and grounds and other property connected with any such institution and all matters relating to its management.

Section 46.16 (4) It shall visit all places in which persons convicted or suspected of crime or mentally ill persons are confined, and reformation; and collect information of other facts and considerations affecting the increase or decrease of crime and mental illness.

Section 46.16 (5) Inspections.

It shall inquire into the methods of treatment, instruction, government and management of inmates of the institutions mentioned in this section; the conduct of their trustees, managers, directors, superintendents and other officers and employes; the condition of the buildings, grounds and all other property pertaining to said institutions and all other matters pertaining to their usefulness and management; and recommend to the officers in charge such changes and additional provisions as it deems proper.

Section 46.16 (6) Frequency of Inspections.

It shall inspect and investigate each institution annually, or oftener; and when directed by the governor, it shall make special investigation into its management, or anything connected therewith and report him the testimony taken, the facts found and conclusions thereon.

Section 46.17 (1) The Department shall fix reasonable standards and regulations for the design, construction, repair and maintenance of county homes, county infirmaries, county hospitals, houses of correction, reforestation camps maintained under s.56.07, jails and lockups, and juvenile detention homes, with respect to their adequacy and fitness for the needs which they are to serve.

Section 46.17 (2) The selection and purchase of the site, and the plans, specifications and erection of buildings for such institutions shall be subject to the approval of the Department.

Section 46.17 (3) Before any such building is occupied, and semi-annually thereafter, the Department shall inspect it with respect to safety, sanitation, adequacy and fitness, and report to the authorities conducting the institution any deficiency found, and order the necessary work to correct it or a new building. If within 6 months thereafter such work is not commenced, or not completed within a reasonable period thereafter, to the satisfaction of the Department, it shall suspend the allowance of state aid for, and prohibit the use of such building until said order is complied with.

Section 46.16 (7) Enforcement by Attorney General and District Attorneys. Upon request of the Department, the attorney general or the district attorney of the proper county shall aid in any investigation, inspection, hearing or trial had under the provisions of this chapter, or those sections of ch.48 relating to powers of the Department, and shall institute and prosecute all necessary actions or proceedings for the enforcement of such provisions and for the punishment of violations of the same. The attorney general or district attorney so requested shall report or confer with the Department regarding the request, within 30 days after the receipt of such request.

- E. Medicines shall be kept in a locked cabinet, dosages followed exactly and it should be verified that medicines are actually consumed as issued.
- F. Towels, soap, toothbrushes, and toothpaste should be furnished each prisoner; and two baths per week should be required.
- G. Hot water should be available constantly, also drinking water and toilet facilities.
- H. Prisoners should have the opportunity for some form of exercise each day.

VI. Supervision of Prisoners

- A. Supervision of prisoners must not be delegated to other prisoners.
- B. Lawyers, clergymen, and relatives have a right to visit prisoners at regular hours.
- C. The right of prisoners to receive mail should be conditioned on signing authorizations to open and examine all mail and packages.
- D. Rules governing inmates should be posted in each jail or lockup.
- E. Corporal punishment should not be used, but rather punishment should be limited to reduction of privileges.
- F. Juveniles who must be kept in jail must be kept entirely separate from adult prisoners.
- G. The sexes must be entirely separated.
- H. The alcoholic, narcotic addict, psychotic, sex-deviate, and epileptic prisoners should be segregated, if possible; if not, then closely supervised.

VII. Physical Standards for Jails and Lockups

- A. All jails and lockups should provide for:
 - 1. Security against escape.
 - 2. Adequate heating, plumbing, ventilating, and lighting
 - 3. Fire-proof, or fire-resistant construction.
 - 4. Fire-fighting equipment.
 - 5. Segregation of those awaiting trial from sentenced prisoners.
 - 6. Electrical conduits, fixtures, switches, and outlets outside the reach of prisoners.
 - 7. A jail type wash basin and toilet in each cell.

**APPENDIX E
AN ACT**

SB 678

Establishing regional correctional facilities administered by the Bureau of Correction as part of the State correctional system; establishing standards for county jails, and providing for inspection and classification of county jails and for commitment to State correctional facilities and county jails.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. There are hereby established regional correctional facilities distributed geographically throughout the State for the treatment and rehabilitation of prisoners.

Section 2. (a) The Department of Justice, with the approval of the Governor and the county commissioners involved, may acquire by purchase or lease any county workhouse or jail.

(b) The Department of Justice, with the approval of the Governor, may select for acquisition, either by the Department of Property and Supplies or by The General State Authority with funds of the Authority, tracts of land suitable for the construction of regional correctional facilities thereon. The title to the lands so acquired shall be approved by the Attorney General.

(c) Upon the acquisition of such tracts of land in the name of the Commonwealth, the Department of Property and Supplies shall have authority to convey the same to The General State Authority for the purpose of having such Authority erect and construct thereon regional correctional facilities.

(d) The Department of Property and Supplies, with the approval of the Governor, is hereby authorized to enter into a lease with The General State Authority to acquire the use of the regional correctional facilities and any tracts of land in connection therewith.

Section 3. The Department of Justice shall have the power and its duty shall be:

(1) To operate and manage regional correctional facilities;

(2) To provide for the treatment, care, maintenance, employment and rehabilitation of inmates of regional correctional facilities.

(3) To establish standards for county jails and prisons including standards for physical facilities and standards for correctional programs of treatment, education and rehabilitation of inmates; and

(4) To inspect county jails and to classify them in accordance with standards adopted under clause (3) of this section as eligible to receive prisoners sentenced to maximum terms of six months or more but less than five years.

Section 4. On and after the date established in subsection (b) of section 6 of this act, (1) all persons sentenced to maximum terms of five or more years shall be committed to the Bureau of Correction for confinement in a State correctional facility; and (2) all persons sentenced to a maximum term of six months or more but less than five years may be committed to the Bureau of Correction for confinement in a State correctional facility or may be committed to a county jail approved by the Bureau of Correction.

Section 5. (omitted)

Section 6. (a) Sections 1, 2, and 3 of this act shall take effect immediately.

(b) Section 4 of this act shall take effect as facilities become available on dates and in areas designated by the Governor in proclamations declaring the availability of State correctional facilities.

(c) The clauses of section 5 of this act shall take effect after the respective dates established in subsection (b) of this section.

APPROVED -- The 27th day of December, A.D. 1965.

WILLIAM W. SCRANTON

The foregoing is a true and correct copy of Act of the General Assembly No. 502.

**THE MISSOURI MISDEMEANANT
COURT SURVEY**

1967

**A Project Of The Governor's
Citizens Committee On Delinquency And Crime**

Exhibit # 17

Under the Direction of:
Charles Mann
Executive Director
St. Louis Bureau for Men
St. Louis, Missouri

Supervised and Reported by:
LeRoy G. Schultz
Asst. Prof. of Social Work
University of Missouri
Columbia, Missouri

Assisted by:
Nancy Fox
Judy Capel

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Preface

This report contains the results of a survey of the misdemeanor courts and their ancillary services in Missouri. The absence of previous factual studies or valid statistical data concerning the number of misdemeanors committed, how the courts handled them and with what resources places a heavy responsibility on the participants in the survey. There were no other specific measures nor guides to which we could refer to corroborate our findings. Future studies should be conducted to refine, expand and test the data presented here.

The survey should be considered as one phase of the statewide plan and program for control of delinquency and crime in Missouri that is being developed by the Governor's Citizens Committee on Delinquency and Crime. The misdemeanor court is strategically important and affects a large number of Missourians, but as with all other elements in the process of criminal justice, it is only one of several steps that must be viewed in relation to the continuum from arrest through the correctional system and back to the community. Deficiencies in services at any step of the process influences the capability of the whole system.

The Office of Law Enforcement Assistance, U.S. Department of Justice, provided most of the funds for the survey in the planning grant June 1, 1967 to the Governor's Citizens Committee on Delinquency and Crime.

Charles Mann, Chairman
 Technical Advisory Committee
 Governor's Committee on
 Delinquency and Crime

RESUME OF FINDINGS AND RECOMMENDATIONS

Total Misdemeanors Reported by Survey	49,772
Estimated total for the state	67,705

Offense		Disposition	
Driving While Intoxicated	6.10%	Probation-Parole	6.17%
Common Assault	3.59%	Jail	4.56%
Nor-Support	4.58%	Fine	89.26%
Insufficient Fund Check	6.24%		
Stealing Under \$50.00	2.50%		
Minor Possessing Liquor	2.35%		
SUB-TOTAL	25.38%		
Traffic and Miscellaneous	74.61%		

RESULTS OF JUDICIAL QUESTIONNAIRE

1. Court and Correctional Services Available in State Magistrate Courts.

Pre-sentence investigation	50% report none
Post-sentence supervision	25% report none
Pre-bail investigation	Approximately 89% report none
Bailee supervision	50% report none (of those using R.O.R.)
Special court services to alcoholics, mentally ill or sex offenders	100% report none
2. Personnel who Perform the Court-Correctional Services.*

Probation-Parole Officer	in 6 counties
Sheriff	in 13 counties
Prosecutor	in 10 counties
Judge	in 24 counties
Bondsman	in 1 county
Personal Friend	in 3 counties
State Trooper	in 1 county
Court Clerk	in 2 counties
No Personnel used	in 1 county
3. The Manner in Which Defendant Applies for Court-Correctional Services.*

Written Application by Defendant	3 counties
Written Application by Legal Counsel	7 counties
Verbal Request by Defendant	9 counties
Initiated by Judge	18 counties
Initiated by Prosecutor	8 counties
All above Methods	4 counties
Initiated by Jailer	1 county

* Some courts use more than one type of personnel to provide services.

* Some courts use more than one method of application.

- | | |
|---|------------------------|
| 4. Average Length of Time to Prepare Investigations for Court. | |
| ½ hour | 2 counties |
| 1 hour | 9 counties |
| 2 hours | 4 counties |
| 4 hours | 2 counties |
| 1 day or more | 2 counties |
| 5. Method of Communicating Investigation Results to Courts. | |
| Written Report | 3 counties |
| Verbal Report | 14 counties |
| Both | 2 counties |
| 6. Average Period of Probation or Parole. | |
| 6 months or less | 25% of Courts surveyed |
| 9 months or less | 2% of Courts surveyed |
| 1 year to 2 years | 73% of Courts surveyed |
| 7. Installment Payment of Fines. | |
| Allowed | 74% of Courts surveyed |
| Not Allowed | 26% of Courts surveyed |
| 8. Number of Courts Providing Printed Probation-Parole Form to Defendant. | |
| Provide Forms | 14 courts |
| Do Not Provide Forms | 34 courts |
| 9. Judicial Attitude towards the Need for Probation-Parole Services. | |
| Should be provided by State | 66% |
| Should be provided by County | 2% |
| Should not be provided at all | 32% |

MAJOR RECOMMENDATIONS

The Major Recommendations, That Are Described and Supported in the Body of the Report, Are:

1. A uniform method of court record keeping and reporting to a central state agency.
2. A program for orientation and training for all misdemeanor court judges.
3. The state Board of Probation and Parole should be authorized and required to provide service to all misdemeanor courts in Missouri
4. Legislation or a Supreme Court rule is needed to provide the release of defendants on their own recognizance.

I. THE NEED FOR A MISDEMEANANT SURVEY

The misdemeanor court is the step-child of the American court system. It is called "the lower court" or the "inferior court" primarily because it is required to handle so-called lesser or minor offenses. In fact there are no minor cases, as each is major to the person accused. What is said and done to him by the court and its staff may permanently alter both his own life and that of his family and friends.

The crime picture in Missouri is quite like an iceberg, with only major or serious crimes being reported to the F.B.I., or reported in our newspapers. The misdemeanor represents the vast submerged part of the iceberg.

"Millions of Americans come before our misdemeanor courts (and millions more are victims) for drunkenness, domestic and neighborhood quarrels, thefts and petty violations. Here, 90% of American crime is handled on a 'jail or bail' basis. Less than 5% of these courts have rehabilitative services. When millions of these 'feeder' offenses are left untreated, opportunities are lost to salvage families, detect child neglect and prevent major crimes. Contrary to popular belief, these courts are not peopled entirely by vagrants or prostitutes . . . American crime will never be controlled while we permit 90% of such social illness to remain contagious and to continue untreated." (Judge C. M. Simon, Chairman of the Board, National Council on Crime and Delinquency.)

"The minor offense is often a prelude to a major crime. While usually only the more violent or vicious crimes make the headlines, the so-called 'petty' offenders or misdemeanants are also a serious problem and worthy of public concern. The minor offense of today may very well be the prelude to a major offense." (J. Edgar Hoover, Vol. 1, Municipal Court Review, 6 (1961).)

There is no body of factual information by which the handling of misdemeanants can be appraised in the state of Missouri. The Judicial Conference of Missouri collects data from only two of the state's hundreds of misdemeanor courts. Even the now classic Missouri Crime Survey of 1926 did not cover misdemeanor crime. Thus, the amount of misdemeanor crime handled by state courts is relatively unknown. What happens to defendants in terms of sentencing and court disposition is also unknown. No data are available to determine what efforts are made at treatment of offenders and prevention of recurrence or the effectiveness of court efforts.

Fact-finding rather than just fault-finding is sorely needed as a first step in improvement or as a foundation for county or state action. Courts are one of the few institutions not in competition with other agencies and hence reform comes slowly and only in response to active public pressure. This survey was designed to provide the facts for the Governor's Citizens Committee on Delinquency and Crime.

II. SCOPE OF THE SURVEY

The survey was designed to explore the scope and range of correctional services currently provided by the magistrate courts of Missouri, and the St. Louis Courts of Criminal Correction, to attempt measurement of the misdemeanors processed by each court, and other data on magistrate courts.

The month of April, 1967, was used as the index month because it was the latest month for which the needed data were available and complete when the survey was conducted in June, July and August of 1967.

The Facts Being Sought

The factual data sought were of the type from which general conclusions and recommendations could be made concerning procedures, programs and problems. The following key topics were selected as comprising the factual areas in which information would be available.

1. The incidence of misdemeanors processed by Magistrate courts.
2. The major types of misdemeanors and their incidence.
3. The legal dispositions made of misdemeanors.
4. Regional variations in misdemeanors and their disposition.
5. The types of correctional services the courts provide.
6. The quantity and quality of personnel who provide the services.
7. Methods of application for correctional service.
8. Judicial attitudes toward court services.

The Nature of the Sample

It is all but impossible to measure the amount of misdemeanor crime in Missouri. There is no central record keeping agency at the state level. Not only magistrate courts process misdemeanors, but also "city, municipal and police" courts in each of the state's 114 counties, when the violation of a city ordinance is also a misdemeanor. Since so much must be predicated on misdemeanor statistics, and since no such statistics exist, it was considered imperative to secure some measure of magistrate court-processed misdemeanors.

The choice of courts and counties surveyed centered on acquiring a sample of courts serving the majority of citizens, and representative of urban and rural courts in counties of large, medium, and small populations. Counties listed on page 3 were selected for the survey. The map on page 4 shows the location of the counties included in the survey.

Whether a misdemeanor case is legally processed in a state magistrate court, rather than in a "city, municipal or police court" is determined by the geographic location of the misdemeanor act, and what type of law enforcement officer makes the arrest or issues the summons. In general arrests or summons issued by sheriffs and deputies and those of state troopers are processed in magistrate courts if they are misdemeanors. However, in the case of a city or town arrest by a local police officer, it is discretionary with him as to where the case will be processed: city court or magistrate court. This further complicates acquiring a measure of total misdemeanors in Missouri, since data from the hundreds of police departments are lacking and not uniformly reported. Interviews with various law enforcement and court personnel revealed the following "discretion" patterns used by local police departments to determine whether the misdemeanor should be processed in city or magistrate court.

1. If the misdemeanor is "serious", or the misdemeanor a repeater, the police officer will go through the county prosecutor.
2. If the misdemeanor carries a penalty of 10 days jail or more, or the equivalent in fine (based on the officer's past experience with the court) the offense will be processed in magistrate court. Part of this decision stems from the fact that few police stations or departments have adequate jails for safely and humanely handling inmates. (See - Missouri Jail Survey)
3. The victim of the misdemeanor offense may select the court he wants the case processed through.
4. Town and city police use local courts to process misdemeanants who appear in their judgment to need a "sobering-up" period before release.

These variations among police departments make it very difficult to determine the amount of misdemeanor crime in Missouri. This survey was restricted to the amount of misdemeanor crime

Large Populations - Urban*

St. Louis City	Population	750,026
St. Louis County		703,532
Jackson County		622,732
Clay County		87,474

Large Populations - Split Urban-Rural

Greene County	Population	126,276
Buchanan County		90,858
Jasper County		78,863

Large Populations - Rural-Urban

Jefferson County	Population	66,377
Boone County		55,202
St. Charles County		52,970

Medium Populations - Rural-Urban

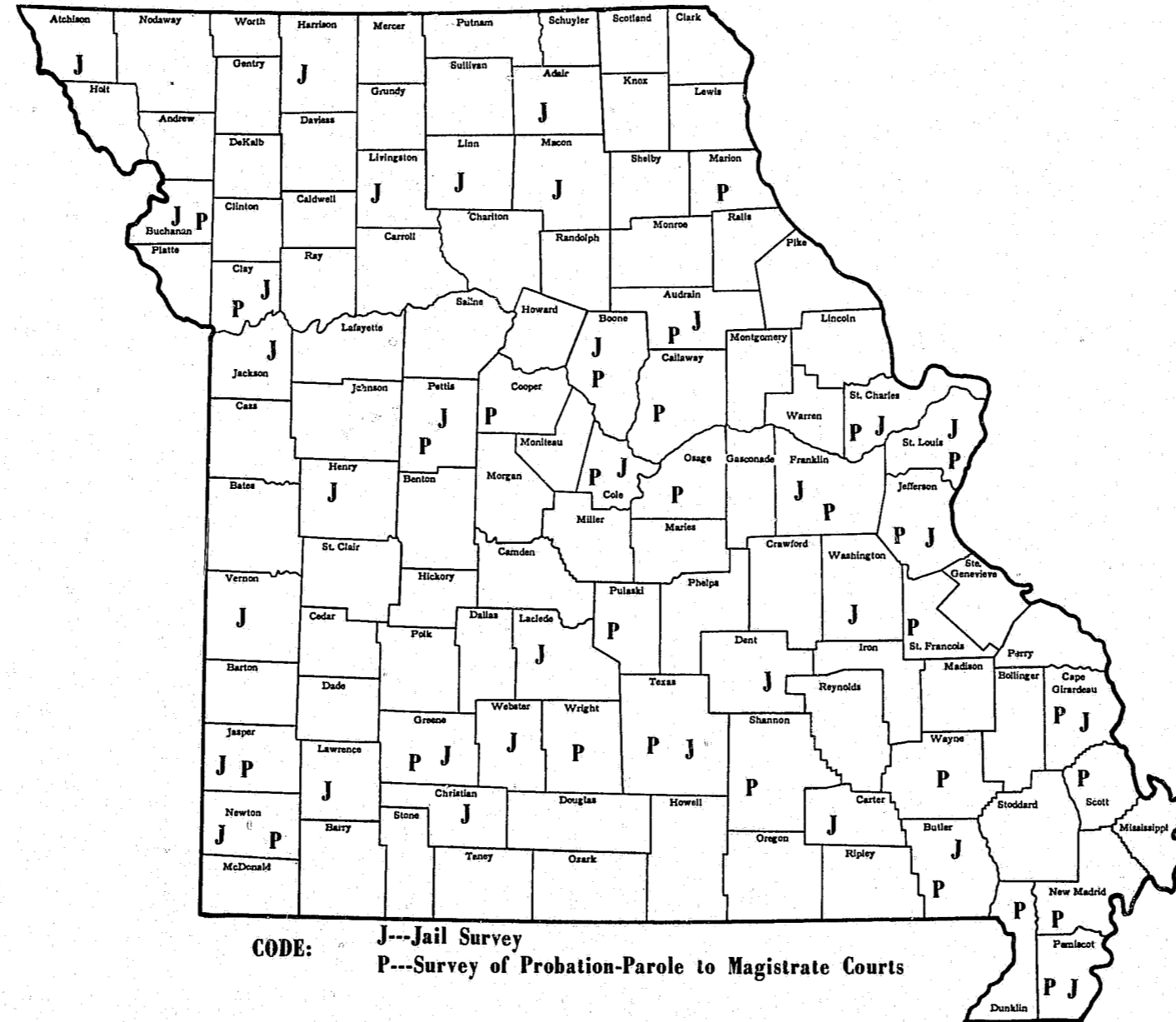
Pulaski County	Population	46,567
Franklin County		44,566
Cape Girardeau County		42,020
Cole County		40,761
Dunklin County		39,139
Pemisscott County		38,095
St. Francis County		36,516
Pettis County		35,120
Butler County		34,656
New Madrid County		31,350
Newton County		30,093

Small Populations - Rural

Marion County	Population	29,522
Audrain County		26,079
Callaway County		23,858
Texas County		17,158
Cooper County		15,448
Wright County		14,183
Osage County		10,867
Gentry County		8,793
Wayne County		8,638

A total of 48 magistrate and misdemeanor courts were surveyed in the 30 listed counties. These courts serve 3,176,112 citizens or approximately 74% of the entire state population - (4,319,813).

* All population data are taken from the 1965-66 Missouri Blue Book.



being processed by the state magistrate courts only, and it is assumed that most misdemeanors are processed there.

III. METHOD OF CONDUCTING THE SURVEY

The field work of data collection and interviewing judges, sheriffs and correctional personnel was carried out by the writer and two assistants, both university students. These interviews were preceded by a letter signed by Governor Warren E. Hearnes requesting cooperation with the survey. Almost all courts and related personnel were cooperative with the survey staff. Many court clerks went to great length to explain their intricate method of maintaining court records and were quite helpful. In terms of the present times, many court clerks are working with a complete lack of modern or automated record keeping methods. Frequently it was necessary to check four sets of separate records or books to learn the charge and its disposition.

All judges interviewed were helpful and informative, and gave information beyond that requested, revealing attitudes and biases in a way that records alone cannot do. Only one judge refused the interview, giving as his reason the lack of time from his busy docket.

Tabulation of Data

The incidence of recorded misdemeanor offenses was measured for April, 1967 only, so that in order to get a general measure of yearly cases this monthly figure was multiplied by twelve months. The same process was employed to acquire the yearly rate for the entire state based on 74% sampling. Misdemeanors and their dispositions were tabulated in each of the sample counties and grouped. Answers from the various judicial questionnaires were similarly grouped.

Findings will be discussed in separate offense and disposition categories.

IV. MISDEMEANANT OFFENSES

a. Property Offenses

This group includes stealing under \$50 and insufficient fund checks. They constituted 2.5% and 6.24% respectively or a total of approximately 5900 offenses per year. There is a notable concentration of this type of offense in towns and cities, and many cases are processed by police or municipal courts, and therefore not recorded in survey statistics. Many of these offenses are committed by women, particularly by shoplifting; however, very few county jails in Missouri meet minimal jail standards suitable for confining women, either while awaiting a bail hearing or as a place of sentence.

Nowhere does the arbitrary and fictional difference between misdemeanor and felony become more obvious than in the state's definition of stealing \$51.00 as a felony and stealing \$49.00 or less as a misdemeanor.¹ This \$2.00 differential spells the difference between being offered rehabilitative services, or not. The offender who steals \$51 or more has a million dollar Board of Probation and Parole at his rehabilitative service,² while the man who steals \$49 or less has no rehabilitative opportunity in 110 of Missouri's 114 counties.

¹Remington, "Legal Concepts of Misdemeanor and Felony" N.P.P.A. Year Book 1952, 65.

²Mo. Bd. of Probation and Parole, Report to Gov. Citizens Committee on Delinquency and Crime, 1967, 12.

An arrangement needs to be worked out, whereby kleptomaniacs or compulsive shoplifters may be referred to state psychiatric facilities for proper treatment.

In the case of insufficient fund checks, not to be confused with forging, the prosecutor of most counties surveyed permits defendants to make restitution in an effort to keep the case out of court, particularly if they are a first offender in the county in which the offense occurred. Most merchants and businessmen know of the prosecutor's office as a means of enforcing payment. Of the proportionately small number of insufficient fund check cases processed through the magistrate courts the first and second offenders are likely to be granted probation with an order for restitution. Actually, the offender is released without supervision since none exists in most of Missouri's counties. The main social cost of most misdemeanor check writers is not the cost of money illegally procured, but the cost of long term confinement that the court imposes on some of these petty offenders, at the urging of victimized merchants. There appears no justification to jail solely because the offender is unable to afford restitution, i.e., his poverty.

Most insufficient fund check writers are not the hard criminal type. Many are reacting immaturely to economic crisis. They are not trying to be evasive since they sign their true name to the checks. Some incorrectly anticipated their ability to make a later bank deposit. Many of these types of insufficient fund check writers need financial and budget-planning assistance and counselling towards acceptance of their budgetary limitations.

Magistrate courts in 110 counties now lack any probation service to assist the court in determining who needs help, of what type, and who is a chance or chronic offender and the best disposition that can be made with all factors in mind.

b. Driving While Intoxicated and Other Misdemeanors Associated With Drinking

Driving while intoxicated accounted for the second largest segment of misdemeanors committed in Missouri, with the exception of miscellaneous traffic charges. Approximately 4,300 cases per year or 6.10% of all misdemeanors are of this type. In general, the higher the population of the county, the higher the number of charges of driving while intoxicated.

Alcohol related offenses account for more than 50% of all arrests in the U.S. each year¹ and 29% of convicted offenders in prison claim to have been intoxicated at the time of the offenses.² Every magistrate court handles large numbers of alcoholics brought in under various charges. Each judge is required to distinguish between the chronic alcoholic and the occasional drunk, between the person who needs a short period to sober up and get cleaned up and the individual who needs a long-term process of rehabilitation. With alcoholics there must be selectivity. Jail is not a panacea and does nothing to solve the real problem. The National Association of Municipal Judges at its annual conference in 1959 commented, "Incarceration (of the alcoholic) is no deterrent. But the marchers in a revolving-door-process continue to parade up to the judges' bench. Society gives the judge arrest, trial and incarceration as his tools to be used as treatment for a vast army . . . whom the judges feel must be sick people, and the enigma of the drunk driver haunts him even more. The cost in public funds of maintaining this ineffectual and wasteful process has reached astronomical proportions." The magistrate courts have waited in vain for many years for the development of treatment facilities by the counties, city or state.

¹Slovenko, "Alcoholism and the Criminal Law" 3 Bulletin of the Menninger Clinic, 1967, 105
²Calif. Dept. Public Health, Criminal Offenders and Drinking Involvement Pub. No. 3, 1960.

A small beginning was made recently in establishing alcoholism centers in St. Louis, Kansas City, Farmington, Nevada, St. Joseph and Columbia, and more are planned. Their role in treating the alcoholic misdemeanor is not yet established, but courts can refer as a condition of probation or parole. (See Appendix E). At the dedication of the Mid-Missouri Alcoholism Center, a national authority, Dr. David Pittman, stated that 40% to 50% of fatal traffic accidents were due to chronic alcoholism.¹

An intelligent state, county or community can make the task of the judge a great deal easier, more productive, and the highways safer, by providing the court with investigative personnel to screen out various types of alcoholics, and to utilize community resources and services. Such resources and investigative services are lacking in Missouri and the judges' hands are tied, with only two alternatives: short "revolving door" incarceration, or return to the same problem-surrounded environment, without any supervision by a court official. Such forced alternatives do not protect society for very long.

Driving while intoxicated is viewed as a very serious misdemeanor in Missouri as on the third conviction of this offense the offender can receive a sentence of 5 years in the penitentiary.² However, it is only on his third conviction that his case is referred to a circuit court where investigative and supervisory services are available. Can the third and fourth conviction be prevented by adequate counselling at the first or second? At present no such helping opportunity exists in the magistrate courts. The imperative to intervene constructively, as our traffic death mounts, before the third offense, should be obvious, yet our magistrate courts are denied investigative and supervisory services to assist in such a preventative role. A recent survey of Michigan's traffic deaths revealed that 44% of traffic deaths are due to drinking drivers and further that 16% of drunken drivers are under age 21.³ "Every Judge who has the responsibility of imposing criminal sentence is entitled to and must be equipped with satisfactory probation services, just as a physician must have x-ray technicians available in diagnosing obscure illnesses."⁴

c. Traffic Offenses

Traffic offenses comprise most of the 74.61% miscellaneous charges noted in the survey, the most prevalent offenses being speeding and careless and imprudent driving. Traffic misdemeanors exceed by far the combined total of all civil and felony cases filed in Missouri and constitute the most common form of reported offenses in the U.S. The accidents associated with these violations are perhaps the most costly of our social problems. Autos and trucks do more damage to property, and damage and death to humans at a ratio of 10 to 1 over homicide by other means, felonious assault and property stolen.⁵ Traffic accidents account for ten billion dollars damage each year and most accidents are the result of law violations.^{6,7} The chances of a driver with a record of traffic violations causing a fatal accident is 7½ times greater than that of other motorists.⁸

¹Columbia Tribune, August 16, 1967.

²Mo. Revised Statutes 564.440.

³Auto Club of Michigan, Survey 1967.

⁴Advisory Council of Judges, Guides for Sentencing N.P.P.A. 1957, 9.

⁵National Safety Council, Accident Facts, 1959.

⁶Ross, "Traffic Law Violations: A Folk Crime." 8 Social Problems, 1961, 231.

⁷National Safety Council, Accident Facts, August, 1967.

⁸Auto Club of Michigan, Survey, 1967.

"To determine the kind of corrective influence the judge should exercise, they must analyze the kind of defendants that appear before them and ascertain the primary cause of the violation There are three types of delinquent drivers - the Can'ts, Don'ts and Won'ts . . . To accomplish this analysis more personal attention must be devoted to each case . . . in order to assess adequate corrective penalty on repeaters."¹

In determination of penalties, it is frequently necessary to require probation reports and when such occasions arise thorough reports should be prepared and submitted to the court. It is obvious that the burdens on a conscientious magistrate judge are many and varied. These burdens are increased immeasurably by the fact that decisions must be made quickly under constant pressure and without help of correctional personnel or investigative aids.

d. Non-Support

The misdemeanor of non-support of dependents is processed by magistrate courts only, with the exception of St. Louis City where it is processed by the Court of Criminal Correction. Non-supporters constituted 4.58% of the approximate 67,705 misdemeanors each year, or 3,100 cases. In general, the larger the county population, the higher the number of convictions for non-support, particularly this is true for the large urban areas. In one of the few courts providing a probation service, one probation officer was supervising 25 non-supporters and collecting non-support payments, as well as supervising other types of offenders. This is a gross overload.

Much of the county variation in the number of non-support charges filed is a result of differences in various prosecutor's discretion on whether to invoke or not invoke the criminal process. The cases that do end up in court are those in which the defendant has not favorably responded to the threat of court action by the prosecutor, and it can be assumed that they present more problems.

The magistrate court has been empowered by the legislature with the duty of enforcing the financial maintenance of families. The problem is one which affects a family, an entire unit of society, and not merely one which requires a judicial determination of the rights of individual members of that unit. However, the magistrate court is not a family, juvenile or domestic relations court, yet it is called upon, in many cases of non-support, to perform the function of such higher courts, but without any of the higher court's resources in terms of investigative and supervisory personnel. The problem in many non-support cases is not so much the determination of guilt as it is having the family members brought into a working relation with each other.² This requires special training and time, both of which magistrate judges lack. Judges are usually "unsuited for social engineering".³ Many non-supporters appear non-criminal and are more like social casualties whose breakdown has taken the form of debt. This debt is a facet of a much more generalized picture of social difficulty such as marginal employment, heavy drinking, general incompetence in financial planning and the like. Many of the cases are complicated by situations where the wife rejects the husband, or deserted him or where the husband claims the child belongs to another. Many socially incompetent non-supporters are bewildered by court proceedings and the financial demands of installment buying.⁴

To guide the court adequately in non-support matters it is necessary to conduct an extensive

¹Economos, "Traffic Problems, Law and Courts", 287 Annals, 1953, 13.

²Koos, "Family Problems and the Court" 287 Annals, 1953, 27.

³Giles, "The Magistrate Court", 1963, 31.

⁴Berker, "Impressions of Civil Debtors in Prison", 5 British Journal of Criminology 1965, 310.

social inquiry into the individual's background and marital situation. Pre-sentence investigations into a defendant's background would enable the court to assess capacity and ability to pay and to come to some conclusions about the factors and way of life which have resulted in the defendant's appearance before the court. This enables the court, if it has probation staff, to initiate appropriate counselling, social support and to assist the non-supporter with his basic problem.

A small proportion of non-supporters were jailed for failure to support on court order. Court records surveyed did not reflect the cause for non-support. Ironically, when the court sentences a non-supporter to jail, it removes any possibility of the support the law was intended to encourage, forcing mother and child to go on the welfare rolls. In addition the county assumes support of the father now confined, and a record of imprisonment makes future employment difficult, without the help of a parole officer.

No Missouri court has the investigative staff needed to acquaint the judge with the facts needed for adequate sentencing in non-support cases. The needed addition of this staff could serve to screen these defendants who will agree to support voluntarily without any court action. Delaware has found that 40% of non-supporters fall into the group and that many are capable of assuming, under direction, the support of their dependents.¹ Probation staff is needed to explore the financial need of complainants and the ability of the defendant to pay, to work out visitation arrangements, to acquaint the court with employment and cost-of-living charges. Such staff can provide counselling for every problem that prevents payment.

e. Common Assault, Peace Disturbance and Affray

Misdemeanant offenses against the person accounted for 3.59% of all misdemeanor crime in Missouri, or approximately 2480 convictions per year. In general, the larger the county population the higher the rate of assault.

Most misdemeanors involving violence toward the person grow out of domestic disputes between parties, one or both of whom is intoxicated or drinking heavily. A few charges of affray or assault grow out of youthful street fighting or resisting arrest. In some instances the release of normally well controlled impulses is aggravated by the use of alcohol.

Although many forms of misdemeanor violence are not very severe or damaging, the type generated by marital discord can be a forerunner, a warning of serious assaults or homicide in the future.² Intervention by a probation-parole officer should occur as soon as possible after society or the court has had its first indication of violence by the defendant, in an effort to assess future potential towards violence or mental illness.³ Most judges were aware that criminal sanctions such as jail, fines or peace bonds are next to useless in dealing with problems of marital discord and that such criminal penalties embitter the family dispute. The disposition of cases involving the family relationship is important to the continuance of the marriage and well-being of the home and children. Most such defendants are not aware, or will not seek help from voluntary social work agencies dealing with emotional and marital discord. Many may respond to counselling within an authoritative relationship with a probation-parole officer. In the absence of court correctional staff in 129 of Missouri's 132 magistrate courts, the state courts have no choice but to resort to the only tools it has: "the blunderbuss weapons of jail or fines."⁴

¹Parrish, "The Problem of Non-Support", 4 Social Work, 1959, 72.

²Wolfgang, Patterns of Criminal Homicide, 1958.

³Schultz, "The Spouse Assaulter", 6 Journal Social Therapy, 1960, 113.

⁴Oats, "Paranoid Interaction in Marriage" 4 Journal of Family Law, 1964, 200.

⁵Ploscowe, "The Inferior Courts in Action" 287 Annals, 1953, 9.

In dealing with arrests for misdemeanor crimes of violence, judges have discovered that large numbers of ordinary persons, who are not criminal, manage to get themselves in trouble with the law. Drunkenness, bad temper, a convenient policeman or sheriff is frequently the basic ingredient of many arrests of essentially law-abiding citizens. Some of these arrests and convictions are not this simple, and at present most magistrate courts are not staffed with sufficient personnel to screen out the various types of violent misdemeanants in terms of degree of severity or dangerousness requiring more assistance than a simple fine or period in jail.

V. MISDEMEANANT DISPOSITIONS

a. The Fine

The fine represents the single most used judicial disposition made by all magistrate courts, accounting for 89.25% of all cases. The county ranges extended from 100% use of the fine to a low of 47.87%. In general, the larger the county population, the less the fine is used as a disposition. There was wide fluctuation with no pattern or relationship, and apparently these wide variances in the use of the fine are a reflection of the individual judge's personality or sentencing philosophy.¹

The rehabilitative-deterrent value of the fine has never been established, at least not through research. Since little scientific or statistical knowledge about the value of fines is known, practice perpetually outruns theory. A complete evaluation of the fine is sorely needed. In view of the manner in which fines are divided after collection, it is possible that they have a value unrelated to the administration of criminal justice.

Fines have been described as a "mere lackey of the court" and as having no greater deterrent than "a schoolmaster's frown".² Although fines are obviously justified in many cases, particularly with the occasional minor traffic violator, their socially remedial effect on the more serious misdemeanor is not so well established. Fines may serve to price out certain types of offense and perhaps have some deterrent value in select cases. But once the offense is committed, the fine does no more than buy off further consequences.³ It leaves the moral, as opposed to the merely self-protective, attitude of the misdemeanor towards obedience to the law just where it stood.

Until magistrate courts are provided with correctional staff to realistically explore alternatives to the fines, they have no choice but the "\$10 or 10 days" approach. This type of disposition was used in approximately 26% of the counties surveyed. Although the courts using this approach had little alternative in their judgment, primarily for lack of correctional staff and bookkeepers, it remains inherently discriminatory because it determines the severity of punishment solely on the basis of the defendant's wealth. The remaining 74% of the courts surveyed utilized methods such as "paroling the fine", installment-paying after release on own recognizance, stays of execution, or reducing the fine to a token amount. Others set bail size in anticipation of the size of the fine, particularly for county non-residents. Most judges who did not permit installment payment of fines thought it illegal to do so; others objected on philosophic grounds, for example, "I don't extend credit", and others felt it was handled by the sheriff and apparently none of the court's concern. Court records did not disclose to surveyors the degree of commitment to jail for failure to pay the fine. Common sense and economy alone would indicate, in view of the ever-rising daily costs of jailing as compared with the dollar value of a day's impris-

¹Giles, *The Magistrate Courts* 1963.

²Davidson, "The Promiscuous Fine", 8 *Criminal Law* 1, 1965, 8.

³Miller, "The Fine: Price Tag or Rehabilitative Force", *N.P.P.A. Journal*, October 1956, 383.

onment fixed by the statute, the need for a basic reorientation in the use and enforcement of the fine.

When a fine is imposed, it is tantamount to a declaration that neither the safety of the community nor the welfare of the offender requires the imprisonment of the offender. Putting all offenders in jail for default of fine is a wholly unacceptable alternative, as is relieving those unable to pay a fine of all penalties. If the offender does not have the present means of paying the fine, the court should have this, as well as other relevant information, prior to sentence. At present, the court must, if it needs such information, ask those responsible for arrest and apprehension, sheriff or police, or those involved in the adversary system, prosecutor or defense counsel, for this information or assistance.

Fixing the fine on the basis of the ability to pay and the gravity of the offense should be the rule, along with deferred or installment payments, where warranted. If this requires a change in statute then it should be changed.¹ However, merely providing the alternatives is only the first step. Also needed are investigative court staff to check defendant's earnings and how he earns his living and how many dependents or other obligations he has.

b. Probation, Parole and Other Court Services

Every magistrate court in Missouri and the Court of Criminal Correction in St. Louis now have the authority to grant probation and parole² and to use the summons in lieu of the warrant.³ In addition, 11% of the courts surveyed were releasing defendants on their own recognizance in lieu of cash or property bail. In short, Missouri's magistrate courts have all the judicial-correctional mechanisms in keeping with the modern administration of criminal justice, but have almost a complete absence of court correctional personnel to viably bring these mechanisms into realization. Each of the above legal mechanisms require an investigation and evaluation before they justifiably may be utilized in many cases, and after being granted by the court, they require supervision of the defendant or offender while he is in the community. Only three of Missouri's 132 courts processing misdemeanants are now provided with correctional staff to assist judges in determining propriety and risk involved in the above legal mechanisms. It is unlikely that laws and rules, permitting judges the use of these legal-correctional devices, would have been sanctioned by the legislature and Supreme Court had their liberal and proper use not been intended.

Approximately half of the courts which grant release on recognizance do not provide any supervision of releasees. Court records surveyed did not clearly indicate conditions of pre-trial release, with perhaps one or two exceptions. Two of the state's 132 courts have at least one court or probation officer investigating release on recognizance applicants and one, the St. Louis Court of Criminal Correction, employes professional bondsmen to screen and supervise release on recognizance. This latter practice, although stemming from a shortage of court or probation officers, is not to be encouraged since the court has little control over these bondsmen. If a delay occurred in a given case, most of the judges in the smaller counties would release on recognizance if the defendant was indigent and a known county resident. Court records do not reflect a single court utilizing the summons in lieu of the warrant, with the exception of minor traffic offenses.

The survey data indicate that probation and parole are used state-wide in approximately

¹Suggested Change, Article 302.1, 302.3 Model Penal Code American Law Institute 1962.

²Missouri Revised Statutes 549.193, 549.197.

³Missouri Supreme Court Rule 21.05.

6.17% of the total number of misdemeanants disposed of per year. This represented a low of no usage to usage in 52.12% of all cases disposed of. It should be emphasized here that these figures are based on a one-month period of the court's docket. The data combined under this topic, i.e., probation or parole, actually include probation, parole and work-release arrangements. Most of the court records surveyed used these three terms interchangeably, and like the state statutes confuse probation with parole. The 6.17% use of probation for misdemeanants, who are considered as having committed minor offenses, compares unfavorably to the use of probation in 25% of the cases in circuit courts, where the felon is considered as having committed serious offenses. This remarkable difference is not so much a difference in judicial philosophy as the lack of correctional personnel in the court's processing misdemeanors - a condition not existing in circuit courts.

Most courts surveyed do not utilize the pre-sentence investigation, even in serious cases since, with the exception of three counties, the courts have no correctional staff to perform this vital function. Other county magistrate courts relied on a few hasty questions put to the defendant as he stood before the bench, and the police or trooper's report of the alleged offense.

Although the majority of cases coming before the courts do not require pre-sentence investigations, no court in Missouri provides a screening process or screening staff for the court to assist the judge in determining which cases require an investigation. A great deal of the indiscriminating approach to misdemeanor corrections is the general unavailability of pre-sentence investigations, or intake screening. This is a particular handicap to the wider use of probation, and without sufficient information about offenders, judges are often understandably reluctant to consider alternatives to jails or fines.

In terms of the rehabilitative potential and problems presented by the misdemeanor, the court is forced to operate in many cases in relative ignorance. As one judge put it "... the judge is usually an overworked individual saying guilty or not guilty on the evidence and, when guilty, either granting probation or opening prison doors with nothing better than the equivalent of a woman's intuition to guide him."¹ The need for the pre-sentence investigation in serious misdemeanors has been cited repeatedly, but rarely heeded.² The need for the pre-sentence investigation in cases where imprisonment or probation are to be used, is well established in the better magistrate courts of other states and even in serious traffic matters.³

Disposition of most misdemeanors in Missouri was very rapid, particularly in the courts having the smaller dockets. There are reasons for believing that immediate disposition often is too speedy, that sometimes a longer interval to permit a pre-sentence investigation, might lead to a better result by tailoring the sentence to fit the needs and the problems of the offender.

Most courts provided some semblance of probation-parole supervision with make-shift personnel whose primary concern was with their own full-time duties. This was primarily directed at surveillance rather than a combination of surveillance and counselling. Only 3 of Missouri's 132 courts provide personnel to assist the judge in pre-sentence investigation and offender-supervision; therefore many judges were required to act as their own probation officers. One judge

¹"The Case for Training of Magistrates", 2 *Crim. Law Quart.* 1959, 207.
²Herlihy, "Sentencing the Misdemeanant", 2 *N.P.P.A. Journal* 1956, 360.
Oldigs, "Probation in Misdemeanant Cases", 1952 *Yearbook, N.P.P.A.*, 186.
Sansom, "Probation and Parole for the Misdemeanant", 1949 *Yearbook, N.P.P.A.*, 196.
Nutter, "The Quality of Justice in Misdemeanant Cases", 53 *Journal of Criminal Law, Crim. & P.S.* 1962, 215.
³President's Com. Law Enforcement and Adm. of Justice, Task Force Report: Corrections, 1967, 143.
Leven, "Traffic Court: The Judges Responsibility", 46 *American Bar Association Journal*, 1960, 143.

in a large urban court took one full day each week to perform probation-related functions in his chambers. Another did home-visiting and employer contacting at his own expense. In general, the majority of defendants placed on probation or parole (usually called "bench parole") received no supervision at all.

There is little sense in placing defendants who need counselling on probation or parole and then not to provide the counselling, but the judge has no alternative in the absence of court staff. Counselling troubled misdemeanants has been demonstrated elsewhere as a practical and valuable court and community service and many misdemeanants have problems amenable to help.¹ In order that such counselling be successful, it must be done by professional full-time probation-parole officers, and not delegated to others whose primary duties lay elsewhere, or whose philosophy may preclude an unbiased attitude toward the offender.² The use of sheriffs, troopers, prosecutors, or court clerks to counsel probationer-parolees is not to be encouraged for obvious reasons. (See Appendix C, Questionnaire 2) Most courts surveyed granted probation or parole from one to two years, which is ample time for constructive change through counselling. (See Appendix C, Questionnaire 6).

Most offenders convicted of serious felony crimes started as misdemeanants. Corrections has found four of every five convicted of a felony, convicted of a misdemeanor first, and a chance for rehabilitation lost. As U.S. Attorney General Clark stated, "A young man or young girl brought before a court of lower jurisdiction charged with a misdemeanor: could a change have been effected in his or her life at that time? If so, then 80% of all felonies are to some extent preventable."³ At present, with the complete lack of court-correctional personnel to assist the judge in 129 of Missouri's 132 magistrate courts, no such preventive potential exists and each community is denied this vital tool to help combat crime.

c. Sentencing to Jail

Sentencing misdemeanants to jail is the least employed correctional, deterrent method employed by Missouri's courts. The overall rate of this disposition was 4.56% (high) to 0% (low). In general, the larger the county population the greater use of jail as disposition. This greater usage in urban areas may reflect more chronic offenders, migrants moving from Missouri's rural areas to her larger urban centers encountering adjustment problems.

The low rate of judicial use of jail appears highly justified, since jail represents the most severe and stringent disposition available in misdemeanor cases. In addition, not a single county jail in Missouri offers a rehabilitative program for its inmates. In general, the misdemeanor usually does not threaten in any substantial way the person or property of another, and extensive interference with the person's liberty is not justified. Basically, a short sentence serves no curative purpose and in most instances does not act as a deterrent to future crime. If jail is used wisely it can isolate from society persons who are likely to commit further criminal acts. While the judge has the sole final responsibility he should not have to exercise it alone. The principal and indispensable tool enabling him to discharge his sentencing function adequately

¹Deutscher, "The Petty Offender: Society's Orphan", 29 *Fed. Prob.* 1955, 12.
George, "Counselling the Petty Offender", 6 *Crime and Delinquency*, 1960, 396.
Wallace, "Summary Probation", 6 *Crime and Delinquency*, 1960, 391.
Ullman, "Social Characteristics of Misdemeanants", 48 *Journal of Criminal Law, Crim. & P.S.*, 1957, 44.
Grygier, "The Chronic Petty Offender: Law Enforcement of Welfare Problem?"
J. Research Crim. & Del. 1964, 155.
²"Training for Probation & Parole Work", 2 *N.P.P.A. Journal*, 1956, 193.
³Clark, "For the Advancement of Criminal Justice", *State Government*, Summer - 1967, 136.

is a court investigative staff of sufficient training and numbers, who bring to him the essential information about the defendant and suggest appropriate treatment resources. No such staff exists in 89% of Missouri's courts.

Imprisonment has its costs. It is the most expensive way to deal with offenders, not just in custodial costs, but also in loss of prisoner's productive capacity and support of dependents. Removing a man completely from the community may impede his successful reintegration later, and the atmosphere, associations and stigma of imprisonment may reinforce his criminality.

No offender should be released from jail after lengthy sentence without supervision through parole. Only three counties provide this service. Most parole granted by magistrate courts was done in a fragmented and unsystematic manner, with the criteria of release determined by institutional adjustment, and with little emphasis on assistance in resuming one's life in the community, in terms of employment. One can hardly expect judges, with a heavy docket, to take upon themselves the weighty task of probation and parole services, particularly in view of their lack of training for this type of service.

VI. CONCLUSIONS AND RECOMMENDATIONS

a. Records

Most court clerks and judges were quite helpful to survey workers. The general over-all impression is that court records lack uniformity. Even where misdemeanor cases were set down and filed distinctly, their usefulness was dissipated by the fragmented manner in which they are maintained. Furthermore, no two counties maintained similar recording systems, making coordination of, or communication of, misdemeanor data unlikely. Since police and municipal courts processed misdemeanors, in addition to magistrate courts, no over-all picture for any one county, nor indeed for the whole state, is possible. The method and style for recording a case record is an accommodation to past court history and gives little concern to improving the format of the record to increase its utility for court administration. In general, as many as four separate books or records had to be inspected to find out the charge and disposition. Bail and parole data were also filed in separate record books. Most court clerks complained of the time and energy wasted on antiquated record keeping methods, but apparently were powerless to change or improve them. Automated equipment is totally unknown in all magistrate courts, as is micro-filming old space-consuming court records.

No progress or change can occur without a clear over-all statistical picture of the business of the magistrate courts.

Recommendation: That one uniform method of court record-keeping be established for all magistrate courts and the St. Louis Courts of Criminal Correction by statute or Supreme Court Rule, that meets acceptable standards of completeness, uniformity and clarity, and further, that each court be required by statute to submit annual reports of its volume business and related matters to one central state agency responsible for collating and collecting this data and making plans for needed changes as they arise.¹

b. Judicial Training

No magistrate court judge in Missouri, or judge of the St. Louis Court of Criminal Correction,

¹Holloran, "Modernized Court Administration" TASK FORCE REPORT: THE COURTS, pp. 162-171. THE PRESIDENT'S COM. ON LAW ENFORCEMENT AND THE ADM. OF CRIMINAL JUSTICE.

receives any formal training, before or after judicial appointment, which prepares him adequately for his heavy responsibilities or duties. There is hardly anything inherent in the average law school curriculum or bar examination which prepares for, or tests for competence in adjudication, jurisprudence or the administration of criminal justice. So few law students go on to become judges that such curriculum planning in the regular law school is not practical and, besides, lawyers of seniority tend to be appointed to the bench many years after graduation.

Most new magistrate judges in Missouri are isolated in single-judge courts and therefore may not be able to consult with senior colleagues. The breaking-in process of new judges is frequently accomplished at the expense of the defendant, lawyers and the community. The President's Commission on Law Enforcement and Administration of Justice stated, "The length of judicial careers in this country justifies a substantial investment in pre-service and in-service training" and "If training programs are to be effective . . . judges should be required to attend, either before or immediately after they assume office."¹ Training similar to that offered by the National Conference of State Trial Judges should be seriously considered for each new magistrate judge and for annual refresher courses thereafter in the form of institutes. Emphasis in pre-service and in-service training should be placed on recent changes in criminal law and procedure, sentencing policy, sentence disparity, the law, the field of corrections, and probation and parole. As early as 1925, the American Institute of Criminal Law and Criminology stated this unheeded remark: "The study of criminal psychology and sociology, forensic medicine and psychiatry, and penology should be obligatory for all who wish to judge in criminal cases. Such judges . . . should have full knowledge of prisons and similar institutions and should visit them frequently."²

Ninety per cent of the state's criminal cases are heard in our lower courts. It is in our criminal procedure, evidence, jurisprudence and corrections that we find the cornerstones of our liberties. There can be no excuse for our magistrate judges not being expert in these fields, especially in cases where the accused is represented by inexperienced counsel, or more likely, none at all. The state owes to each magistrate judge thorough service and training and the duty to demand that they be thoroughly qualified in the efficient discharge of their duties.

Recommendation: That the legislature provide on a regular basis the necessary funds for pre-service and in-service training on a continuous basis for all magistrate judges as needed, including an annual institute at state expense, with the pre-service and in-service training programs conducted by the law schools of Missouri or a suitable substitute.³

c. Corrections

One of the conclusions reached by the President's Commission on Law Enforcement and the Administration of Justice, which included a study of Missouri's lower courts and their services, was that "no program of crime prevention will be effective without a massive overhaul of the lower criminal courts" and the courts most singular deficit "the paucity of (probation) services."⁴

When one talks of misdemeanor correctional services, one talks of something that hardly exists in Missouri. Of Missouri's 132 magistrate courts (includes the two divisions of the Court of Criminal Correction in St. Louis City) only 18 are provided with a probation and parole service

¹TASK FORCE: THE COURTS, pp. 68-69 THE PRESIDENT'S COMMISSION ON LAW ENFORCEMENT AND THE ADMINISTRATION OF CRIMINAL JUSTICE.

²Journal of the American Institute on Law & Criminology, Vol. 16-1925, 605.

³Webb, "The training of New Magistrates 1965 Criminal Law Review pp. 152-158.

⁴TASK FORCE: CORRECTIONS, 29, 157 THE PRESIDENT'S COMMISSION ON LAW ENFORCEMENT AND THE ADMINISTRATION OF CRIMINAL JUSTICE.

to assist the judge in acquiring all the facts needed to make the best possible legal disposition, in terms of the community and the offender. Justice Henry McCardie once remarked, "Trying a man is easy, as easy as falling off a log, compared with deciding what to do with him when he has been found guilty." In 114 courts the judge is forced to take time from his main duty, adjudication, and in many instances, a crowded docket, to do his own investigation of offenders' backgrounds before sentencing and supervising and counselling those he places on probation or parole. Those are responsibilities he neither has the time nor the training to do professionally. As several judges indicated, the lack of probation services prevents them from dispensing justice in many cases as they would like. This survey revealed that the majority of magistrates in Missouri would welcome this service, and a majority of those who denied a need for the service felt their court could not use a full-time probation officer. This latter problem can be rectified by providing district services covering several courts in accordance with varying needs.

No judge should be required to sentence a defendant without an adequate pre-sentence investigation where it is required, no offender should be released to the community after jail without parole services where they are needed, and no court should be forced to use make-shift, improvised probation staff from court-related but very divergent and untrained personnel.

Although crime is a county as well as a state problem, the administration of justice is generally regarded as a state function, and probation, parole and court services are likewise to be regarded as state-provided functions. If the State Board of Probation and Parole is not given the responsibility for misdemeanor services, separate and duplicating programs will be established to deal with parts of the misdemeanor crime problem. This would add greatly to the difficulties of developing uniform policy and maintaining coordination. The rehabilitative problem of felons and misdemeanants are so closely interrelated and similar that they can be most effectively dealt with through a comprehensive rather than a fragmental approach. To establish and maintain duplicate services to deal with different groups of offenders whose problems require essentially similar treatment is neither administratively practical nor an effective utilization of professional and administrative personnel, of which there is a critical shortage under any circumstances.

The State Board has already established a good professional nucleus, which should be added to, rather than duplicated. The advantages of state administration of court services have been given considerable consideration and study by the American Correctional Association and are as follows:

1. Standards and qualities of probation service can be established and maintained uniformly in all parts of the state. Qualified staff can be provided through a system of strategically located offices.
2. Personnel can be recruited through a single merit system providing identical personnel standards for all staff. Retirement, vacation, sick leave, and other benefits can be uniform.
3. Staff supervision and on-the-job training for staff can be provided, thus facilitating recruitment, retention, and advancement of competent staff.
4. Staff can be changed from one district to another to meet fluctuations and to maintain service for staff positions temporarily vacant.
5. Duplication of service can be avoided in the development and maintenance of administrative controls.
6. Probation service can be better coordinated with other state correctional facilities.
7. Necessary procedures can be developed more easily to cope with the increasing mobility of offenders and probationers.¹

¹ Manual of Correctional Standards, American Correctional Association, 1966 p. 101.

Probation and parole services to magistrate courts of Missouri should not be viewed as a resource which the legislature is encouraged to expend, but rather as a right of the court, and the responsibility of the legislature to guarantee its adequacy to our courts.

Recommendation: That the State Board of Probation and Parole be authorized and required to provide all investigative and supervisory functions for any and all magistrate courts and the St. Louis Court of Criminal Correction, as these courts may direct¹ and, further, that the presently employed probation-parole staff serving the St. Louis Court of Criminal Correction, the St. Louis County Magistrate Courts, and the Jackson County Magistrate Courts be incorporated into the staff of the Missouri Board of Probation and Parole.

Since some of the magistrate courts questioned the absolute legality of the release of defendants on their own recognizance, this legal process of pre-trial release should be clearly established by statute or Supreme Court Rule.

Recommendation: That legislation be enacted, or a Supreme Court Rule established, making release on personal recognizance the presumptive method of obtaining pre-trial release and giving the accused a right to immediate appeal where a judge refuses to adopt this method of release.

(For example, see Chap. 681 Mass. Acts, 1966)

¹ Similar recommendations were made by an independent study in Kansas City. Report: Probation and Parole, Kansas City Crime Commission, Kansas City, Mo., Sept. 15, 1967

APPENDIX A
Offenses and Dispositions

Total Misdemeanors Reported by Survey: 49,772

Total in State: 67,705

Offense		Disposition	
* Driving While Intoxicated	6.10%	*** Probation-Parole	6.17%
** Common Assault	3.59%	Jail	4.56%
Non-Support	4.58%	Fine	89.26%
Insufficient Fund Check	6.24%		
Stealing Under \$50.00	2.50%		
Minor Possessing Liquor	2.35%		
SUB-TOTAL	25.38%		
Traffic & Miscellaneous	74.61%		

* Includes driving while license is suspended.

** Includes peace disturbance and affray.

*** Includes work releases.

APPENDIX B

YEARLY INCIDENCE OF MISDEMEANORS - 1967

County	Population	Courts	Offenses							Disposition			Pending Cases	Total Yearly Misdemeanors
			Common Assault	Non-Support	Drunk While Driving	Insufficient Fund Check	Stealing Under \$50	Minor Possessing Liquor	Misc. Charges	Probation Parole	Jail	Fine		
St. Louis City	750,026	Two	84	168	516	24	480	48	4764	5.43%	35.86%	58.69%	5576	6084
Jackson	622,732	Seven	336	1260	264	180	300	0	1092	23.45%	20.19%	56.35%	1590	3432
Butler	34,656	One	48	24	196	168	12	12	1080	2.79%	0%	97.20%	252	1540
Dunklin	39,139	One	24	0	0	12	0	0	1392	1.72%	0%	98.27%	36	1428
Cape Girardeau	42,020	One	36	84	60	84	0	12	432	26.47%	2.94%	70.58%	300	708
Boone	55,202	One	36	48	204	216	12	12	772	2.26%	6.79%	90.94%	240	1300
Calloway	23,858	One	0	24	228	60	72	108	1632	4.76%	.79%	94.44%	612	1896
New Madrid	31,350	One	12	24	108	0	36	36	84	16.00%	8.00%	76.00%	0	300
Gentry	8,793	One	12	0	0	0	12	0	168	0%	0%	100.00%	24	192
Osage	10,867	One	0	0	48	24	0	24	96	22.22%	0%	77.77%	0	324
Pemiscott	38,095	One	24	0	0	0	0	0	132	0%	0%	100.00%	0	156
Jefferson	66,377	One	180	156	0	156	0	144	196	52.12%	0%	47.87%	456	822
St. Charles	52,970	One	0	12	72	108	0	84	3480	.71%	0%	99.28%	396	3756
Franklin	44,566	One	60	72	156	228	0	36	3444	3.30%	.99%	95.70%	372	3996
St. Louis County	703,532	Eight	120	96	48	708	108	36	878	29.03%	9.67%	61.29%	1870	1994
Pulaski	46,567	One	72	0	36	0	0	48	616	1.58%	0%	98.41%	16	972
Cole	40,761	One	24	12	60	0	0	48	324	7.69%	0%	92.30%	0	468
Wright	14,183	One	0	0	36	36	0	12	552	0%	0%	100.00%	111	636
Texas	17,158	One	108	36	60	36	0	60	780	25.94%	5.19%	68.83%	156	1080
St. Francis	36,516	One	60	60	48	132	72	144	142	17.64%	11.76%	55.88%	250	658
Marion	29,522	One	0	0	0	12	0	0	900	0%	0%	100.00%	12	912
Newton	30,093	One	84	0	60	48	0	36	6324	2.04%	.74%	97.21%	132	6588
Wayne	8,638	One	36	12	48	0	12	12	144	5.55%	11.11%	83.33%	48	264
Audrain	26,079	One	0	36	36	180	0	128	806	4.16%	2.77%	93.05%	322	1186
Pettis	35,120	One	0	0	48	72	0	0	1680	.70%	0%	99.29%	96	1800
Cooper	15,448	One	24	0	0	24	0	60	480	6.25%	0%	93.75%	0	576
Clay	87,474	Two	72	36	132	192	0	0	600	5.42%	1.35%	93.66%	144	1032
Buchanan	90,581	Two	108	60	132	24	0	24	516	28.20%	7.69%	64.10%	396	864
Greene	126,276	Two	96	12	288	108	24	24	561	13.14%	11.95%	74.90%	109	1113
Jasper	78,863	Two	132	48	156	324	108	24	1774	.67%	.67%	98.64%	792	2566

APPENDIX C
RESULTS OF JUDICIAL QUESTIONNAIRE

1. Court and Correctional Services Available in State Magistrate Courts.
- | | |
|--|-------------------------|
| Pre-sentence investigation | 50% report none |
| Post-sentence supervision | 25% report none |
| Pre-bail investigation | Approx. 89% report none |
| Bailee supervision | 50% report none |
| | (of those using R.O.R.) |
| Special court services to alcoholics,
mentally ill or sex offenders | 100% report none |

2. Personnel who Perform the Court-Correctional Services.*
- | | |
|--------------------------|----------------|
| Probation-Parole Officer | in 6 counties |
| Sheriff | in 13 counties |
| Prosecutor | in 10 counties |
| Judge | in 24 counties |
| Bondsman | in 1 county |
| Personal Friend | in 3 counties |
| State trooper | in 1 county |
| Court Clerk | in 2 counties |
| No Personnel used | in 1 county |

* Some courts use more than one type of personnel to provide services.

3. The Manner in Which Defendant Applies for Court-Correctional Services.*
- | | |
|--------------------------------------|-------------|
| Written Application by Defendant | 3 counties |
| Written Application by Legal Counsel | 7 counties |
| Verbal Request by Defendant | 9 counties |
| Initiated by Judge | 18 counties |
| Initiated by Prosecutor | 8 counties |
| All above Methods | 4 counties |
| Initiated by Jailer | 1 county |

* Some courts use more than one method of application.

4. Average Length of Time to Prepare Investigations for Court.
- | | |
|---------------|------------|
| ½ hour | 2 counties |
| 1 hour | 9 counties |
| 2 hours | 4 counties |
| 4 hours | 2 counties |
| 1 day or more | 2 counties |

5. Method of Communicating Investigation Results to Court.
- | | |
|----------------|-------------|
| Written Report | 3 counties |
| Verbal Report | 14 counties |
| Both | 2 counties |

6. Average Period of Probation or Parole.
- | | |
|-------------------|------------------------|
| 6 months or less | 25% of Courts surveyed |
| 9 months or less | 2% of Courts surveyed |
| 1 year to 2 years | 73% of Courts surveyed |

7. Installment Payment of Fines.
- | | |
|-------------|------------------------|
| Allowed | 74% of Courts surveyed |
| Not Allowed | 26% of Courts surveyed |

8. Number of Courts Providing Printed Probation-Parole Form to Defendant.
- | | |
|----------------------|-----------|
| Provide Forms | 14 courts |
| Do Not Provide Forms | 34 courts |

9. Judicial Attitude towards the Need for Probation-Parole Services.
- | | |
|-------------------------------|-----|
| Should be provided by State | 66% |
| Should be provided by County | 2% |
| Should not be provided at all | 32% |

JUDICIAL QUESTIONNAIRE

Incidence of Misdemeanant Court Cases April, 1967

County Court of _____

(1) How many misdemeanors were adjudicated in your county in April of 1967?

(2) How many of these cases (April 1967) were granted probation? _____

How many times in April 1967 was probation revoked? _____

How many were granted parole after serving a part of their sentence?

(April 1967) _____

How many times in April 1967 was parole revoked? _____

(3) How many were fined? _____ (April 1967 only)

How many were able to pay the fine? _____ (April 1967 only)

(4) How many were nolle prosequere? _____ (April 1967 only)

(5) How many jury trials? _____ (April 1967 only)

Guilty? _____ Not Guilty? _____

APPENDIX D

IN THE MUNICIPAL COURT, SANTA BARBARA - GOLETA JUDICIAL DISTRICT
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

THE PEOPLE OF THE STATE OF CALIFORNIA, Plaintiff,
vs.
Defendant.

SUMMARY PROBATION ORDER

The above named defendant, having been convicted by Court } Plea }
Jury } of the crime of

a Misdemeanor, on _____

The Court, now makes its ORDER as follows:

The defendant is sentenced as follows:

A fine of \$ _____, payable on or before _____

The jail sentence is suspended for _____ years during which period of time
the defendant is granted probation upon the following terms and conditions: (as checked)

That said defendant:

- 1. shall report to the Probation Officer of the County of Santa Barbara immediately and as ordered by the Court or Probation Officer.
- 2. shall avoid associating with idle, dissolute, or criminal persons, refrain from gambling, and that defendant shall commit no breach of peace, nor shall he violate any criminal statute of this State, nor of the United States, but shall lead a sober, honest and industrial life, and shall keep himself constantly employed so far as it is possible for him to do so.
- 3. shall receive no citation for a violation of any section of the Vehicle Code.
- 4. shall submit to and take a body fluid test for intoxication upon official request.
- 5. shall do no driving of a motor vehicle on a public highway until and unless possessing a valid California operator's license.
- 6. shall have no speed or aggravated speed violations.
- 7. shall do no pleasure driving until _____
- 8. shall do no driving at all until _____
- 9. shall have no combination of drinking and driving, or involvement with the law as a result of drinking, drinking or drunk in auto, hit and run, reckless driving, evading arrest.
- 10. shall have his automobile impounded at a public garage at his expense until _____
- 11. shall attend traffic school commencing _____
- 12. shall serve in the _____ jail the following (periods) (weekends):
- 13. shall have no similar violations.
- 14. during the entire term of this probation, shall refrain from the use of intoxicating liquor of any kind, including wine and beer.
- 15. shall do no drinking in public places.
- 16. shall pay to _____ for the support of his minor child _____ the sum of \$ _____ payable _____
- 17. shall not molest or annoy _____
- 18. shall make restitution to _____ in the amount of \$ _____ by _____
- 19. shall be fingerprinted by a local law enforcement office within seventy-two hours.
- 20. shall follow reasonable orders of the probation officer, including taking any recommended therapies.

The defendant is hereby placed under the care and supervision of the Probation Officer of Santa Barbara County.

The Court may modify or change or revoke this ORDER should it believe the interests of justice require it, or should it believe the defendant to have violated any terms hereto:

JUDGE OF THE MUNICIPAL COURT.

DATED: _____

Receipt of a copy of the within Probation Order hereby acknowledged this

_____ day of _____, 19____

Defendant

Investigating Probation Officer

You are hereby notified that Subdivision 4 of Section 1203 of the penal code of the State of California provides as follows:

"Every defendant who has fulfilled the conditions of his probation for the entire period thereof, or who shall have been discharged from probation prior to the termination of the period thereof, shall at any time thereafter be permitted by the Court to withdraw his plea of guilty and enter a plea of not guilty; or if he has been convicted after a plea of not guilty, the Court shall set aside the verdict of guilty; and in either case the court shall thereupon dismiss the accusations or information against such defendant, who shall thereafter be released from all penalties and disabilities resulting from the offense or crime of which he has been convicted."

APPENDIX E

Admission Procedures

The Mid-Missouri Mental Health Center offers 24 hour service to all persons living in the 52 county catchment area in Central Missouri. An alcoholic can come directly to the out-patient service or to the emergency room at the Medical Center. Although a patient can be admitted at any time, it is preferred to have admissions during the morning hours while the full complement of staff is available. If the alcoholic has been without alcohol for 7 days or longer, he can be directly admitted to the alcoholism unit. If he comes to the center intoxicated or if he has had a drink in the 7 days prior to his arrival, he will be placed on another ward in the Mental Health Center for the detoxification process.

Patients are admitted to the Alcoholism Unit on the same basis as to the other wards of the Mental Health Center. Some patients will be referred by their local physicians, clergy, or welfare agencies. Others will walk in on their own and some will be brought in by their families. Regardless of the pathway a person takes to get here, he will be given thorough and complete care upon his arrival.

The Alcoholism Unit occupies Ward 2-Center and is primarily a rehabilitation unit. The detoxification process and medical problems connected with alcoholism will be treated on the other wards. The ideal length of stay on the rehabilitation ward will be 3 weeks during which time the patient will be involved in a total treatment intensive therapy milieu.

TREATMENT PROGRAM

The treatment program is a multiphasic program consisting of the following facets:

1. Detoxification
2. Short term intensive therapy
3. Follow-up Care

The detoxification part of the program is carried out on various wards in the center and will last up to one week depending on the physical state of the individual patient. This process consists of medication, good nourishment, and careful nursing care. When the medical problems are overcome, the patient is transferred to the alcoholism ward for the rehabilitation aspect of his treatment.

The short term intensive therapy ideally lasts three weeks. During this time the patient is involved in group therapy, milieu therapy, individual therapy, patient government, and activity therapy.

Group therapy is the treatment of choice because most alcoholics have built up a strong defense system to protect themselves and this is best penetrated by the process of group dynamics. The group allows for a non-threatening environment which is advantageous to introspection. The individual gains support as he finds others have had similar experiences and he finds he is not rejected.

During the group therapy sessions an attempt is made to break down communication barriers and to get the patients to relate to one another. Once the lines of communication are established, many of the alcoholics' problems such as their difficulty in dealing with authority figures, their job difficulties, and family problems can be discussed and dealt with.

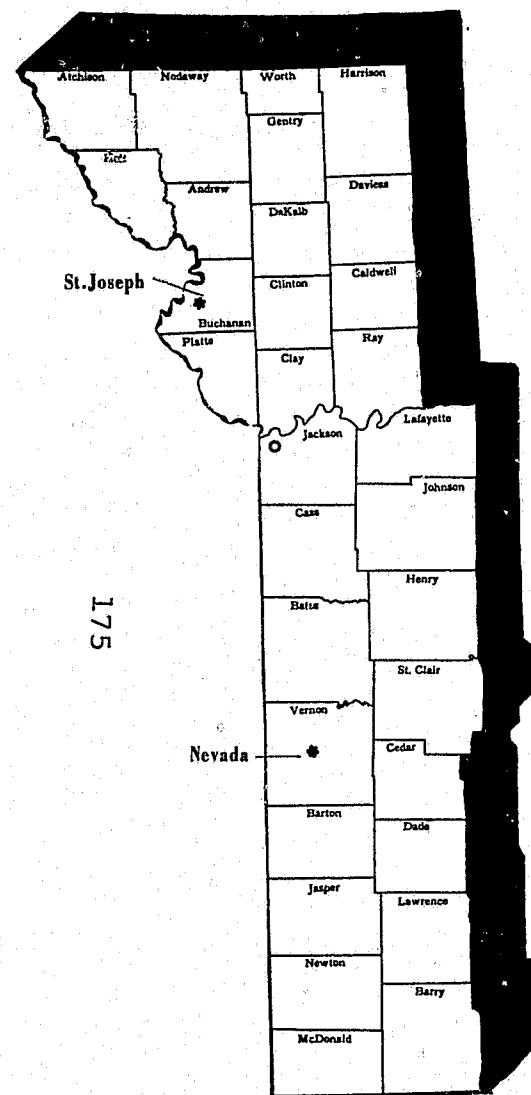
The milieu therapy involves every aspect of the patient's day and is largely a function of nursing and activity therapy programs. The emotional, physical, and social needs of the patient must be considered and the proper understanding and attitudes must be present in order to encourage motivation and self pride in the patient. Certain expectations are made of the patient and he is made to feel important by treating him with firm kindness and giving him increasing amounts of responsibility.

Individual therapy is important because many times the patient has a private problem which he does not want to share with the group yet he wants to discuss. For this reason the psychiatrist on the ward makes himself available to the patients at certain times, when these individuals' problems can be worked out.

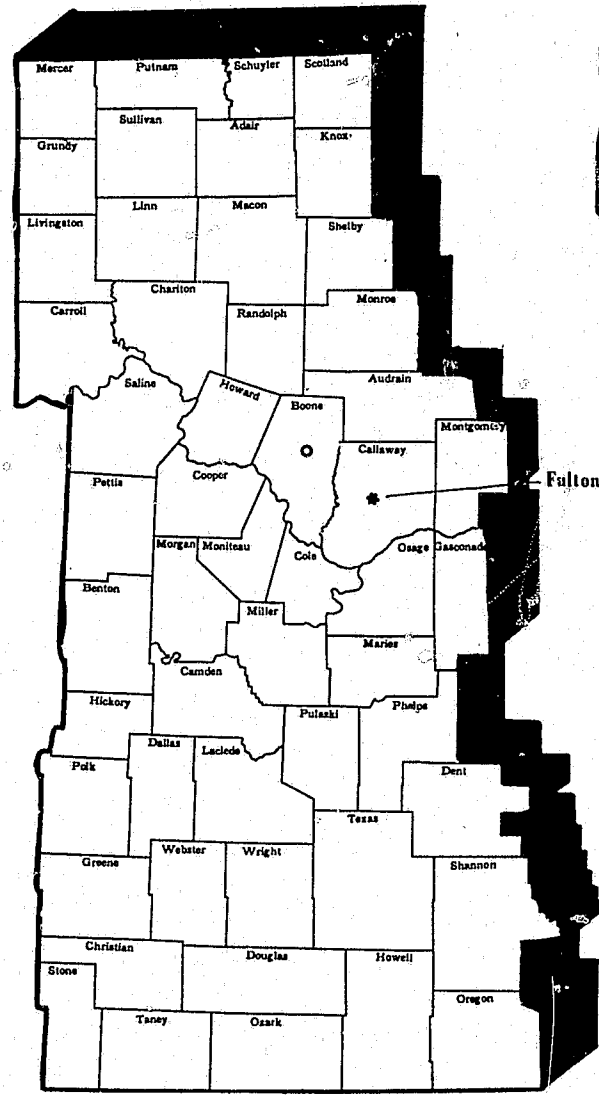
Patient government helps the patient develop responsibility, self-discipline, and decision-making; things which many alcoholics have long forgotten. It allows the emergence of initiative and gives the patients a feeling of belonging to a cohesive group. It also gives them a chance to express their grievances and to learn to work out problems by methods other than drinking.

Activity therapy provides an opportunity for the alcoholic patient to become involved in the kinds of activities that will improve his social skills and will give him a wider variety of interests. By providing an opportunity for accomplishment through remedial tasks, the patient gains the feeling of self-respect and self-reliance. The skills and work habits that are learned during activity therapy sessions are designed to help the patient in his readjustment period when he returns to the community.

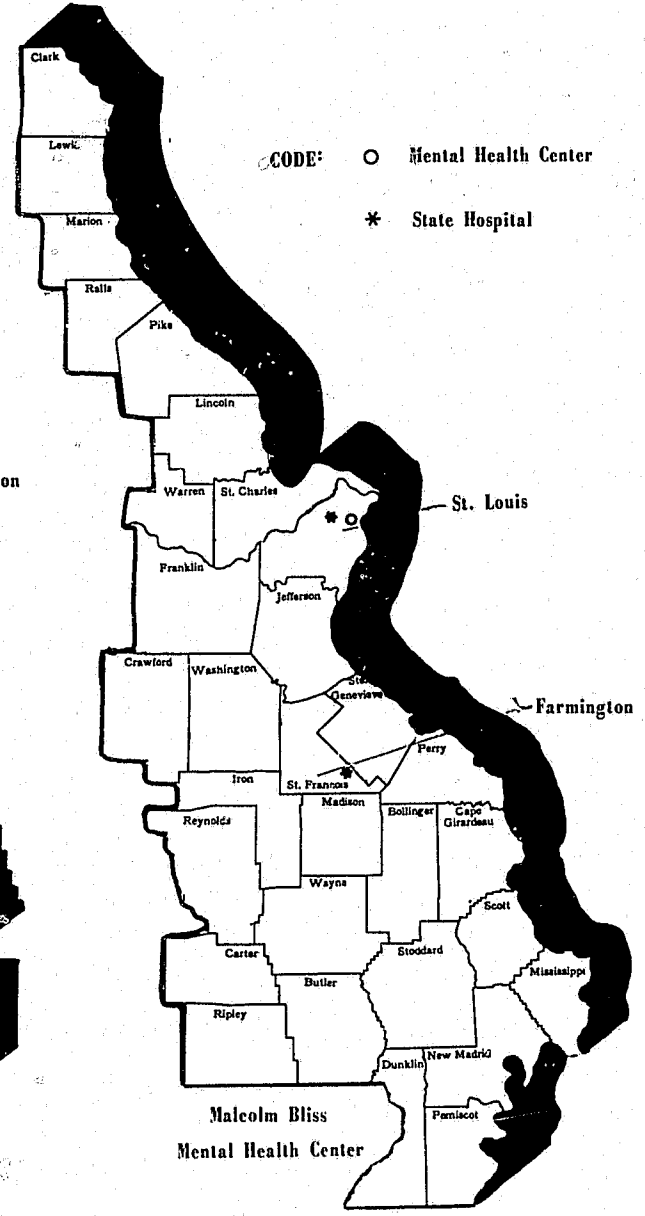
Follow-up care, the third phase of the program, is vitally important. The alcoholic patient needs continued support during his adjustment period back into the community and without it he will often revert quickly to his old habits. Follow-up care tries to aid the patients in meeting the problems that arise from daily living and to work out suitable methods of coping with them. There is not a set pattern for follow-up care. If the patient lives close to the mental health center, he can return to the center for periodic out-patient visits, for follow-up group sessions, or he can merely come back and visit the ward. If the patient's home is fairly far from Columbia, plans are made to contact an A.A. group, the welfare agency, a physician, a minister, and a psychiatric clinic, if one is available, or any other helping agency in the local community. From these sources the patient can then gain support and counselling when he has a problem.



Western Missouri
Mental Health Center



Mid-Missouri's 52
County Catchment Area



Malcolm Bliss
Mental Health Center

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EXHIBIT #18

REPORT
TO
GOVERNOR'S CITIZENS COMMITTEE
ON
DELINQUENCY AND CRIME

CURRENT STATUS
MISSOURI DEPARTMENT OF CORRECTIONS (ADULTS)

February 20, 1967

By

FRED T. WILKINSON
Director

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CURRENT STATUS

MISSOURI DEPARTMENT OF CORRECTIONS (ADULTS)

National Trends

Despite the obvious and statistically proven increase in crime in nearly every state and metropolitan center, the total number of people confined in correctional institutions has shown little appreciable change in recent years. A number of factors are involved, but it would be difficult to prove that any one program or national policy has more significance in holding down the prison populations than a combination of half a dozen social action programs. There is some question as to the desirability of "holding down" prison populations if it is at the expense of public safety. For example, a recent official report showed a drop of 800 in the District of Columbia prison population during the last ten years but a rise of 300 percent in the crime rate during the same period.

Probation and parole of offenders has been expanded, shorter and more indeterminate sentences have prevailed and rightly or wrongly, more concern has been shown for protection (perhaps over-protection) of law violators than ever before in history. Far more community agencies are in existence and more funds are available to welfare departments. Those in the field of corrections believe also that improved techniques and broader knowledge of human behavior are enabling the states to "stay even" in spite of the tremendous increase in the national population and the resultant greater number of criminal acts. Congestion of urban centers will continue

and in the wake of more mass demonstrations and individual acts of violence, the tolerance of the courts and the people will be severely tested. Correctional administrators in planning for future programs and modern institutions must observe the trends carefully to determine institutional needs in terms of capacity and types of facilities. These needs and decisions confront Missouri now.

Correctional Institutions in Ferment

The characteristics of prisoners have undergone change both in federal and state prisons. Very few counterfeiters, confidence men and securities violators come to prison nowadays. The mobility of the national population today results in a much higher percentage of car thieves, nomadic steal and run predators and "asphalt jungle" type violence oriented offenders. The ease with which weapons can be obtained makes it almost routine for the persons in "marginal areas" to be armed. The current trend toward contempt of law and the disdain for life and property rights of others has resulted in far more prison commitments for crimes such as murder, robbery, assault, burglary and rape.

A significant change in federal government policy toward auto thieves has affected the states. In the years immediately after World War II, the federal government prosecuted and confined most young automobile thieves under the Dyer Act. Apparently because of work loads, costs, and for other reasons, U.S. attorneys instead of prosecuting for ISTMV are generally releasing these people to

state prosecution for larceny. This change in policy had an unanticipated effect on State law enforcement and prison populations. For example, on February 15, 1967, the State of Arkansas had no prisoners serving sentences for auto theft but had 196 confined for Grand Larceny (mostly autos), which permits a maximum sentence of 15 years compared to the 5 year maximum for auto theft.

Some hopeful signs are on the horizon for broadly based improvements in corrections. The Manpower Training Act of 1965 and the President's Commission on Law Enforcement Assistance are at least steps that point in the right direction. Unfortunately, the nearly two years in which the Manpower Training Act has been in existence has up to now only resulted in more grants for research and evaluative studies, rather than providing funds or resources for actually working with specific crime problems or individuals who need physical and attitudinal rehabilitation. These grants have been of assistance in broadening the educational opportunities for students in the social work field and in certain areas of correction, but the two years' experience does not indicate that these people will be attracted to correctional work in institutions.

Efforts have been made in some states and in the federal prison system to expand the use of work release programs. It is too early to determine if the degree of success has matched some rather dismaying failures and whether the high per capita cost of this type program is justified in the supervision and training of these selected prisoners who would generally be good parole risks anyway.

Facilities and Population Characteristics - Missouri

The adult corrections system currently consists of seven institutions, namely, the close security penitentiary at Jefferson City, the Training Center for Men at Moberly, the Intermediate Reformatory for young men at Algoa, the women's facility at Tipton, Church Farm and Renz Farm in the Jefferson City area, and the honor camp at Fordland, Missouri. The average population during the past three years has been approximately 3,500. Fifty-one percent of this number are men between the ages of 17 and 26. I am attaching a copy of the comprehensive statistical report (Appendix 1) for the fiscal year July 1, 1965, through June 30, 1966. It will be noted that of the 1,802 prisoners received during the twelve-month period, the median age was 25. Fifty-five percent of the new commitments were between the ages of 16 and 25. The majority of offenses were connected with violence, with 74 homicides, 221 robberies, 79 sex offenses and 129 assaults including kidnapping. Unbelievably, St. Louis alone had during January, 1967, fourteen murders, 24 rapes, and 355 aggravated assaults and robberies.

It is not my purpose in this report to analyze community, judicial, or social problems but it is an unassailable fact that Missouri has an extremely high percentage of long-term prisoners in proportion to population confined. For example, 254 prisoners are serving life or double life terms, 24 are serving 99-year terms, and 541 are serving 20 years or over. The latter groups are known as the "walking dead" in prison parlance and when they must be con-

fined with others, do more to negate vocational, religious, or therapeutic training programs than all other forces combined.

In the face of this overwhelming number of long sentences, the Classification Committees and staffs of the institutions unceasingly screen the inmate populations in order to channel individuals into lesser security situations where rehabilitative programs can be more adequately structured. For example, the inside-the-wall population at the Penitentiary has been reduced by about 350 during the last two years and these men have been placed in vocational and productive work at the Training Center as well as less restricted work details in Conservation Commission areas and State Parks. We have worked as many as 300 men in these minimum security operations. These policies involve calculated risks that only the Director and Wardens can be expected to answer to.

General Level of Personnel

The present State Administration has elevated starting salaries for Guards from \$262 to \$320 per month.* This is still far too low to attract and hold competent employees. Salaries for cooks and certain special skills groups are lower or no higher and we cannot recruit these specialists. We are beset with older recruits, most are "moonlighters" who have small farms or other jobs and develop little loyalty to their prison jobs. Prisons also attract many greedy or dishonest people who traffic with inmates, their families, and sometimes with the press. We are currently processing suspensions of two employees who have been trafficking in amphetamine

* On the date of issuance of this report by the Governor's Committee, the starting salary has been increased to \$369.

powder, watches and rings. One had been blackmailed to the point that he was quite ready to bring in guns.

We have begun to utilize more women and within obvious limitations they are being helpful, especially in our medical and clerical services.

On comparison, our total personnel picture has improved but will need more concentrated effort in recruitment and training.

Innovative Programs Currently Operative

During 1966, we made application for Special Educational Services through the U.S. Office of Education under Title I-P.L. 89-10, as amended by P.L. 89-170. The application has been approved and funds allocated. During fiscal year, 1966-67, we will have received \$59,508.56 for special education purposes from the illiterate through high school level and for additional library resources. This program has enabled us to employ 8 to 10 additional teachers throughout the year.

The most heartening thing on the horizon is a plan we have developed with the Vocational Rehabilitation Division which began in January at Moberly and the Boys School at Boonville. We are developing programs for a number of inmates that will provide intensive professional counseling, medical and psychiatric aid and vocational training that will continue after release, if necessary. And most important, an employment placement service will make arrangements for jobs for the releasees. This program holds great promise.

We are on the threshold of beginning a comprehensive training program with emphasis on the middle line supervisory group. This has been our greatest weakness and though some gains have been made during the past year, we still have urgent need for further improvement. The Adult Corrections and Parole Board units jointly submitted a proposal to the Office of Law Enforcement Assistance for a grant to tie in this training with the several appropriate schools of the University of Missouri and it is now being reviewed in Washington. In any event, the personnel training program must be structured to enable us to develop competent supervisors - now woefully lacking in the institutions. The top administrative officers are high calibre but are compelled to perform time consuming day to day tasks that should be done at intermediate levels.

Future Plans for Physical Facilities

During recent months, many physical changes, considered as improvements, have been made at the old Penitentiary. Three century-old buildings have been demolished. A new metal-type inmate activities building has been erected and major land fill and terrain modifications have been made on the multi-level site. One ancient cell house has been completely modernized to substitute single rooms for former multi-occupancy cells. These projects are "holding" operations to provide suitable living and work quarters for a period of about five years. At the present time, architectural drawings are near the working stage and a new 300-man housing unit will soon be

started at the Moberly Training Center. A new dining room, kitchen and chapel are currently being designed for the Renz Farm. This will provide better living conditions and enable expansion of the population by another 50 men. A much-needed administration building is proposed for the Women's Prison at Tipton, as a future capital improvement project.

We plan to request funds for a new close security penitentiary in fiscal year 69-70 to replace the present facility. (Appendix 2) A study by the Division of Public Buildings or by a consulting firm will be recommended to determine utilization of the existing penitentiary site and buildings. It is quite likely that the present administration building could be inexpensively adapted for housing such departments as adult and youth corrections and the Parole Board. As the new housing unit becomes operative at Moberly, it is anticipated that the Penitentiary inmate population may be further reduced by 200 to 300. It will not be possible to go below that number because of the high percentage of long-term, assaultive and maladjusted inmates in the system.

Industrial and Farm Operations

Correctional industries and farm operations are financed by a Capital Revolving Fund with expenditures being formally requested and authorized by the Appropriations Committees of the Legislature. The Fund is maintained at a \$300,000 level and profits are paid into General Revenue annually. All products of the diversified industrial operations are for state, county, and city use only.

Nothing is sold to private enterprise or to individuals. The industries produce good quality products in vehicular license tags, new and refurbished furniture, a variety of soap and detergent products, shoes and clothing for certain state institutions and metal shelving and lockers. These industrial operations provide on-the-job training for approximately 30 percent of the total prison population. The inmates assigned to Industries are paid a small wage.

The Farms provide all milk and pork requirements, a small percentage of beef and a major portion of required vegetables, many of which are canned for use throughout the year.

IN SUMMARY, it is our hope and belief that Missouri's Correctional system is developing a brighter image. Viewing correctional problems state-wide, it is inevitable that political sub-divisions must begin to pool their resources and expenses. If the major correctional workhouses of St. Louis and Kansas City were brought into the State Corrections system, a veritable Pandora's box would be opened to corrections. Joint training programs, rotation of personnel in different type institutions, consolidated purchasing and most important the authority to transfer prisoners to the several institutions would diminish the problems of gangs, personal vendettas, and entrenched power groups. On a more positive note, the Vocational Rehabilitation program now starting at Moberly could be extended to the workhouses and many of the prisoners could even be enrolled in local Vocational Schools at night or go on work programs during the

day and thus contribute to their families' support while reducing the Welfare costs.

We need to pursue the vocational rehabilitation program vigorously, continue to train inmates academically and occupationally, and try to assist all the other State forces that are being brought to bear on the crime and social maladjustment problems. We need specifically employees of more competence and dedication and who are trainable. We must then do a better training job. We need to acquaint the public with our operational problems in order to have their understanding that society's responsibility isn't fulfilled nor its problems solved by placing offenders inside a prison - they bring their attitudes and problems along with them to the prison. We have not found the magic formula and the millenium has not appeared to stop all inter-personal strife and to effectively rehabilitate all offenders, but the spires on the horizon are drawing closer.

EXHIBIT #19
 STATISTICAL ANALYSIS
 MEN RECEIVED BY RECEPTION-DIAGNOSTIC CENTER

July 1, 1965 - June 30, 1966

<u>TOTAL</u> 1802	<u>AVERAGE AGE</u> 28	<u>MEDIAN AGE</u> 25	<u>AGES 16-25</u> 988 or 55%
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MARITAL STATUS

<u>SINGLE</u> 815 45.23%	<u>MARRIED</u> 549 30.47%	<u>SEPARATED</u> 132 7.33%	<u>DIVORCED</u> 283 15.70%	<u>WIDOWED</u> 23 1.28%
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NATIVITY

1151 or 63.87% were born in Missouri. 705 or 39.12% were received from the two largest metropolitan areas of St. Louis and Kansas City.

MILITARY SERVICE

534 or 29.63% had seen some military service.

EDUCATION

<u>MEAN GRADE COMPLETED</u> 9	<u>MEDIAN GRADE COMPLETED</u> 9
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GRADE ACHIEVEMENT TEST

Mean grade achievement of 1404 taking test was 7 and median grade achievement was 7.31 for same number. 398 or 27.67% were untestable because of educational handicaps due primarily to illiteracy.

<u>TYPE OF OFFENSE</u>	<u>NO. OF CHARGES</u>	<u>PER CENT</u>	<u>RACE</u>	
			<u>WHITE</u>	<u>NON-WHITE</u>
Homicide	74	2.87		
Robbery	221	8.58	1160	642
Sex Offenses	79	3.06	64.37%	35.63%
Assault (Including Kidnapping)	129	5.00		
Burglary (& Breaking & Entering)	708	27.49		
Embezzlement, Fraud & Forgery	252	9.78		
Auto Theft	236	9.16		
Other Larceny	629	24.42		
Drug Laws	80	3.10		
Escape	78	3.02		
Other Offenses	89	3.45		
	2575	99.93		

<u>TYPE OF PLEA</u>			
Pleas of Guilty	1626	90.23%	
Trial Conviction	176	9.77%	
	1802	100.00%	

Averages and Medians computed to nearest whole numbers.

DEPARTMENTAL STATISTICS

INSTITUTION	TOTAL	RECEIVED AT MO. RECEPTION CENTER	TOTAL
Mo. State Penitentiary		Commitments from Courts	1802
Inside	1576	Transferred from State Training School	23
Church Farm	263	Parole Violators Returned	122
Renz Farm	170		
Fordland	124		
L. Hall	121		
TOTAL	2254	TOTAL RECEIVED	1947
Mo. Training Center for Men	584	Assigned to MIR	564
Mo. Intermediate Reformatory	461	Assigned to MTCM	463
Mo. State Penitentiary for Women	86	Assigned to MSP	855
Mo. Reception Center	121		
TOTAL IN CUSTODY	3506	TOTAL ASSIGNED	1882

TRANSFERS		ESCAPEES RETURNED	
Mo.State Penitentiary to Mo.Training Center for Men	19	Mo.State Penitentiary	34
Mo.Training Center for Men to Mo.State Penitentiary	36	Mo.Training Center for Men	3
Mo.Intermediate Reformatory to Mo.State Penitentiary	10	Mo.Intermediate Reformatory	14
Mo.Intermediate Reformatory to Mo.Training Center for Men	5	Mo.State Penitentiary for Women	3
TOTAL TRANSFERRED	70	TOTAL	54

INSTITUTION	RELEASES						GRAND TOTAL
	EXPIRATION OF SENTENCE	COMMUTATION OF SENTENCE	PAROLE	REVERSED & REMANDED	DEATH	ESCAPE	
Mo.State Penitentiary	19	840	303	13	8	22	1205
Mo.Training Center for Men	0	202	141	0	0	1	344
Mo.Intermediate Reformatory	0	244	211	0	0	12	467
Mo.State Penitentiary for Women	0	30	40	0	0	1	71
	19	1316	695	13	8	36	2087

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2 OF 3

DEPARTMENT OF CORRECTIONS PROPOSAL FOR NEW PENITENTIARY

In line with Governor Warren E. Hearnes' promises upon taking office, he instructed the Director and officials of the Department to develop a program that would place Missouri in the upper levels of state correctional systems. For over a year, the Department has reviewed its problems and its most urgent requirements in relation to building funds that might be available in the near future and in consideration of long-range planning that will provide flexibility and upgrading of its institutions from the standpoint of security, control, and rehabilitation programs.

The first step will be a recommendation to the General Assembly that six and one-half million dollars of capital improvement funds be appropriated for the construction of a 350-man maximum security institution, with location to be determined later. The \$360,000 already appropriated for planning would be a part of the amount requested.

The purpose and objectives of the program are:

To separate from the general population of the Missouri State Penal Institutions the hardened, incorrigible prisoners who represent a constant threat to existing institutions and to other inmates.

This maximum security facility for 350 prisoners will remove from the Penitentiary and the medium security prison at Moberly most of the inveterate gangsters, drug addicts, criminal sex offenders, and those with behavioral patterns that give rise to continuously disturbing elements leading to restrictive methods and procedures

that are detrimental to the other inmates in the correctional system. With these types of inmates removed from the regular institutions, gross restrictive measures can be modified to enable efficient programs of rehabilitation for those who are more deserving of the State's consideration.

The objective of the Maximum Security Institution Program is to provide the most secure housing possible for this aggressive segment of the State Prison population consistent with humane and enlightened disciplinary and work training programs looking toward rehabilitation of those who respond.

The staff members will be carefully selected and trained to enable continuous close supervision and direction of the chronic troublemakers.

The physical facilities and devices must be secure to assure control of prisoners, yet permit them to work regularly and participate in healthful, physical, and recreational activities.

Industrial and maintenance work programs will be emphasized. Academic instruction will be provided for functional illiterates and on-the-job training will be available for those who have completed a substantial amount of vocational training prior to confinement in the maximum security facility.

The present Penitentiary will continue to operate in Jefferson City with a lower population. The Moberly Training Center for Men will accommodate an additional 300 prisoners early in 1969. The Governor recommended and the General Assembly approved this \$1,900,000 unit in the 1966-67 Capital Improvements Budget. The

construction of the recommended maximum security prison will remove another 350 from other institutions, principally the Penitentiary, and thus major changes will be permitted in the operations of the present institutions. Prison populations nation wide are again on the rise, but it is anticipated that the Jefferson City prison would finally stabilize at approximately 900 men inside the walls plus about 650 in its satellite minimum security farms and camps.

Director Wilkinson pointed out in his statement and recommendations to the Governor that several factors support the continued operation of the Jefferson City plant during the next few years. One is that many of the old buildings that were grossly adverse to inmate housing and training programs have been demolished. Some new buildings, such as a low-cost inmate activities building, have been added and major changes have been made in food service areas as well as a reduction of population from 2,100 to 1,550 inside the walls thus promoting far better living conditions. Most of this work has been done by prisoners. Another very important consideration is that the 450 Merit System employees of the Penitentiary are well settled in the Jefferson City area and unless it is essential, they should not be uprooted. When an eventual replacement of the Jefferson City prison is made, it would probably be located in this area in order to take full advantage of these trained personnel.

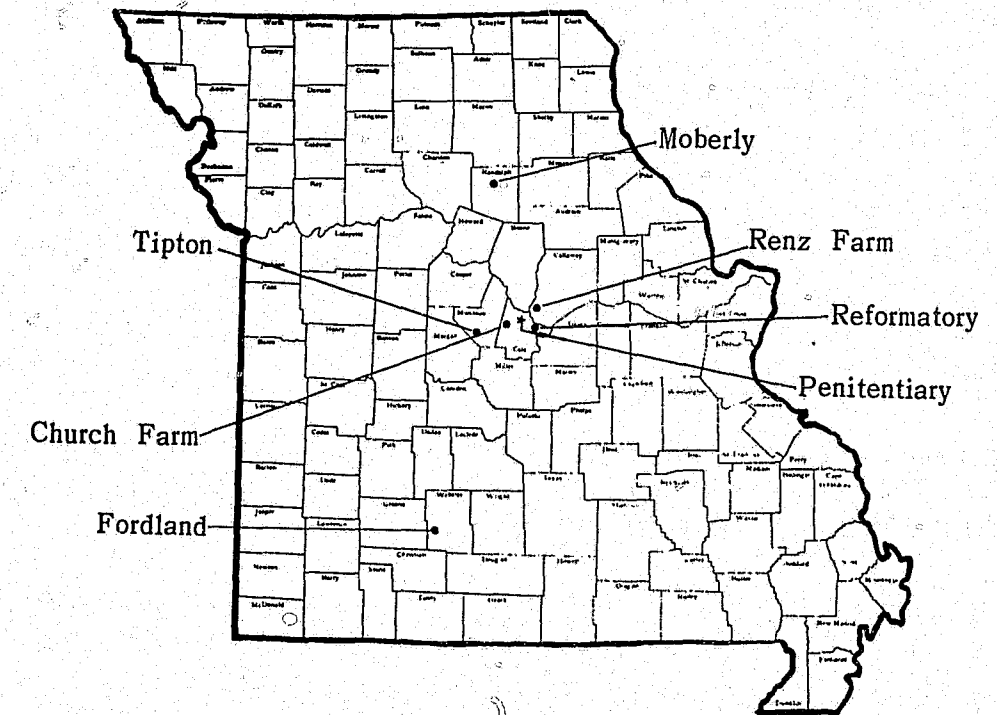
In summary, the new maximum security facility would make it possible to broaden the work and training programs throughout the system by removing the most troublesome element from the Penitentiary and Moberly. It would permit far more flexibility in dealing

with prisoners who are enemies either from past associations or from incidents that occur in prison. It would also provide much more variety in training and experience for personnel who make prison work a career.

The Director noted that, as recently as August 6, 1968, the American Bar Association, house of delegates, assembled in Philadelphia, Pennsylvania, recommended among other things: "Maximum security for the most dangerous criminals...." This recommendation was in the context of a broad statement recommending changes in the nation's criminal laws.

EXHIBIT #21

INFORMATION BULLETIN
MISSOURI DEPARTMENT OF CORRECTIONS



Honorable Warren E. Hearnes
Governor

Fred T. Wilkinson
Director

May, 1968

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MISSOURI DEPARTMENT OF CORRECTIONS

Administrative Organization

The Central Office of the Director and his immediate staff is located in the Capitol Building in Jefferson City, Missouri. The officials and other employees of this office include the Director and his confidential secretary, the Deputy Director and his secretary, the Assistant to the Director in charge of Administration and Personnel matters and the Personnel Clerk and assistant. Several student employees are added to the Personnel Office during the summer months.

The Director of the Department of Corrections reports directly to the Governor but is also under the general guidance of the Lieutenant Governor. This position is appointive and is not under the State Merit System. In general, the Director's duties include development of policy for the correctional system, spearheading and carrying on state programs as delineated by the Governor and exercising general supervision over the seven field institutions. He is responsible for developing and coordinating the budget and for liaison with the various legislative committees, especially the bi-partisan legislative committee on correctional institutions.

The Deputy Director is an appointive official who handles much of the field supervision of institutions, personnel and inmates. He relieves the Director of a number of the functions of the Central Office.

The Assistant to the Director is responsible for specific supervision of the preparation of the annual budget, for direct contacts with the Personnel Board, the review and interpretation of personnel regulations and general liaison with other state agencies in matters of personnel, finance and business matters.

Bureaus and Divisions of the Department

These bureaus transact fiscal and business affairs and deal with broad areas of administration of all institutions. The bureaus include Personnel, Finance, Food Service, Accounting, Planning, Fire and Safety and Business Management and Procurement.

Four separate divisions develop and sustain major programs within the central system:

The Division of Classification and Assignment is headed by a Director. It is the Reception-Diagnostic Center for all male prisoners entering the system. The average population of the entire system is 3,400 and the Diagnostic Center receives an average of 190 prisoners each month. This division is responsible for obtaining, compiling and evaluating information on each inmate including his criminal history, medical information, employment record and educational background. After approximately thirty days of screening, including medical examination, the division classifies and assigns the individual to one of the several institutions.

The Division of Prison Industries, headed by a Director, is responsible for on-the-job training and productive work of approximately 25% of all prison inmates. The Industries operate twelve factories which provide diversified training and limited production of products which are sold to other Missouri State Agencies. The factories include a modern soap plant, a furniture factory for new products and refinishing work, a shoe factory, garment factory, shirt factory and two large metal plants which produce motor vehicle license plates, metal shelving, lockers and signs. There is a modern print shop and efficient commercial laundry in one of the institutions and a small tobacco factory is operated on one of the Farms. Inmates who are selected for the industries employment must maintain good work records and satisfactory conduct. They are compensated in most factories on a group piece pay plan which enables them to earn some funds for personal comfort as well as saving for their release dates. The supervisors and foremen in all industries are journeymen or trained craftsmen in their trades.

The Division of Inmate Education, headed by a Director and a Vocational Education Coordinator, conducts academic and vocational training programs at each of the institutions. Special emphasis is placed on academic training at the Intermediate Reformatory where young men seventeen to twenty-three are committed. There is comprehensive vocational training at that facility in auto mechanics, body and fender work, electronics, machine shop work and creative arts. Of the 450 inmates at the Reformatory, an average of 195 are enrolled in full time day school classes. At the Training Center for Men at Moberly, there is also special emphasis on academic and vocational training. There is an average enrollment of 210 for day and night classes at the academic school. The vocational training program at Moberly is the most expansive in the system, including all types of auto mechanics, electrical training in both radio and TV repair, machine shop, carpentry and art. With less emphasis on elementary education classes, continued efforts are toward higher education at the Main Penitentiary, the Fordland Honor Camp, the Farms and the Correctional Center for Women at Tipton. Arrangements are made for supervised and state-approved tests to be given for high school equivalency diplomas and many inmates qualify and receive their diplomas before release.

The Division of Prison Farms, headed by a Director, operates three major farms encompassing about 3,200 acres. The largest of these units is Church Farm lo-

cated about ten miles northwest of Jefferson City. Operations there include extensive bottom land farming with hay, corn and a few field crops such as watermelons. A swine herd of about seven hundred is maintained and a large registered Holstein milking herd of about one hundred twenty cows assures year-round production of milk for inmates at the Main Prison and the Farms. Approximately three hundred men are quartered at Church Farm and all are engaged in farming, dairy production, tobacco plant operation or general maintenance activities.

Renz Farm is located some two miles northwest of Jefferson City and has a swine herd of several hundred head, substantial poultry and egg production units and several hundred acres of vegetable crop land. A large modern cannery enables the preservation of vegetables and food items that can be canned and utilized throughout the year. This Farm also provides tremendous help for communities within a radius of twenty miles during the all too frequent periods of flooding of the Missouri River. The Renz Farm levee affords the only major protection for nearby Cedar City and it is not uncommon for two to three hundred inmates from the Farms to provide the labor force in stemming flood damage. About two hundred men are quartered at Renz Farm.

Algoa farms and dairy are a part of the Intermediate Reformatory. Algoa is about ten miles east of Jefferson City and has a sizeable Holstein dairy herd which provides milk for the four hundred fifty young men housed at the Reformatory and for other department institutions. In addition to the dairy, the rich river bottom land produces a high yield of grain and hay each year. The inmates who work on the farms are quartered in dormitories and are transported to and from their assignments. The farm supervisors are experienced in farm management operations of various types and possess special knowledge of Missouri farm techniques.

INSTITUTIONS AND CHARACTERISTICS

Penitentiary

The Penitentiary at Jefferson City is the largest institution in the system. It is commonly called a maximum security facility. The Penitentiary was authorized by the Legislature in 1832, funds appropriated in 1833, and some buildings completed in 1836 that are still in use. In the heart of Jefferson City, it sits on a multi-level forty-seven acre site overlooking the Missouri River. It has housed up to 3,500 men at one time, but since 1965 the population confined behind the walls has been lowered from more than 2,100 to approximately 1,450 including men housed in the large hospital which serves the entire system. The facility houses recidivistic inmates who have sentences ranging from two years to multiple life terms. About three hundred life-term prisoners are confined in the correctional system, with the greatest number being in the Penitentiary. In recent years, the average age of prisoners confined within the correctional system has taken a sharp drop. Approximately 55% of the 3,400 prisoners are between the ages of 17 and 25.

The design of the Penitentiary is inefficient because of antiquated buildings, the uneven terrain and the meandering pattern of its huge walls. The manning of security towers in such a layout is exceedingly expensive. An interesting fact about prison security is that any post which must be manned twenty-four hours a day requires five people. This is necessary to provide leave for each individual to have his official two days off per week and to cover absences averaging ten days per year sick leave, as well as a minimum three weeks' vacation time and a number of public holidays.

The Penitentiary is the parent institution responsible for administration and management of the honor farms. The total personnel employed at the Penitentiary is approximately 420. Several of the industries are located in the Penitentiary and provide employment for about 25% of the inmates. There is ample maintenance work for others since an institution 135 years old requires constant attention. The operation of the heating plant, as well as the diesel plant for the manufacture of electricity, the food service, vocational and repair shops and the hospital require full time staffing of inmates.

The per capita cost of the Penitentiary, including the inmates at the farms for a total of 2,150 men, was \$4.11 per day during the 1966-67 fiscal year. As a matter of fact, the per capita cost per inmate in the Missouri system for the 1966-67 fiscal year

was below the average for similar institutions in many other states, partly because of fertile farm land and highly supervised and well-managed farm programs. The average per capita for all male institutions was \$4.51, and \$7.48 per capita for the women at Tipton. This latter figure is considered low in spite of the small number of women confined. Incidentally, the total appropriation for operations of the entire system for the fiscal year 1966-67 amounted to \$9,637,896.00. The Penitentiary budget was slightly more than 4½ million. The personnel service cost for salaries in the system was approximately 5½ million of the total allocated for operations.

Missouri Training Center for Men

The medium security facility put into operation in January, 1963 at Moberly, Missouri has a present capacity of 600 men. A third housing unit now under construction should be completed by early 1969, which will increase the capacity to 900. This is a fairly modern design for an institution, but its eighty-two acres within the security perimeter make it difficult to patrol and maintain. The Training Center is surrounded only by fence and a minimum number (5) towers. The housing units are of St. Andrew's Cross design with four wings to each unit, housing about seventy-six men each in single rooms with communal shower and toilet facilities.

A roomy, modern school building, including a library, is near the center of the compound across from the all-purpose chapel. The kitchen and dining room, designed to accommodate a capacity of 900 projected for the near future, are modern in every respect. The athletic, recreation and leisure-time area is adequate for a variety of sports and one of the finest gymnasiums in any institution has been provided. The industrial area contains a metal plant, a large commercial laundry and a modern print shop. The institution is located about five miles outside of the town of Moberly.

The Training Center is used primarily as a medium security institution within the correctional system. Most men assigned there have been transferred from the Penitentiary after serving a reasonable portion of their sentences. Some go directly from the Diagnostic Center if they are relatively unsophisticated offenders. After a period of satisfactory adjustment at Moberly, depending upon their total sentence, most men are considered for transfer to the honor farms. This system of moving people from the close custody of the Penitentiary to eventual assignment at the Farms serves effectively to lessen the feeling of close regimentation that necessarily prevails in large penal type institutions.

Intermediate Reformatory at Algoa

This is a modern reformatory for young men, although constructed in 1932 under the PWA. The average population is 450 within the age range of 17 to 25, with very few men being over twenty-two. The institution consists of a large Administration building at one end of a rectangle with the food service and school area at the opposite end and ten cottages with five on each side forming a large campus type courtyard in the center. The Reformatory has a good gymnasium but limited outside athletic fields. The institution is located on the highest promontory overlooking the Missouri River.

The majority of young men confined at the Reformatory are serving relatively short sentences of two or three years and many are released on parole. Special emphasis is placed on their educational training as well as counseling in religion and personal attitudes. While a majority of the young men attend school or vocational training classes, others go to school half-days and work half-days. Many of the farm and dairy workers attend half-day school classes. The institution has one of the more attractive chapels of any correctional institution. Visiting privileges for relatives of these young men are far more liberal than normally found in adult institutions.

The Reformatory serves as a "backstop" for the juvenile training school at Boonville, Missouri, which finds it necessary to send some of the more incorrigible young men to this young adult center.

Fordland Honor Camp

Fordland Honor Camp was established in 1961 in the buildings and on a site originally constructed for an Air Force Radar Base. The Camp has a current capacity of 200 inmates. No direct commitments are made to the Camp. All inmates are transferred there from other state correctional institutions.

Aside from the relatively minor restrictions imposed on inmates in this population, healthful and productive work programs as well as organized vocational training classes occupy the men most of the time. There is continued emphasis on specific vocational classwork with related training. This is a condition of the lease from the Federal Surplus Agency which enables the State to utilize this facility.

Inmate crews are assigned to work with the State Conservation Commission and the State Park Board in clearing state-owned lands, doing reforestation work, constructing fire trails and park fixtures and in general improvement and enhancement of the countryside. Sub-camps are established from time to time and the inmates are bussed to the

sites as much as fifty miles away where they remain Monday through Friday under supervision. The Camp is located twenty-five miles southeast of Springfield, Missouri in Webster County.

State Correctional Center for Women

This is an efficient women's correctional facility which was modernized in 1960 when it was converted from its former function as a young women's training school. The housing consists of single and multiple rooms to care for the average of ninety women offenders. Sentences vary from two years to life, with a substantial number of four to ten year sentences for narcotics or serious robbery offenses. There is a wide spread in age and educational levels. The house-keeping and general appearance of the institution is superior to most facilities.

The education and training program at Tipton includes a professionally supervised cosmetology course and additional training at the elementary and high school levels plus training for food service jobs. Visiting with relatives and correspondents is somewhat more relaxed at the women's facility. In the summer, there is a broad range of recreation pursuits including softball and swimming in an improvised pool. Winter activities are more sedentary, consisting of sewing, reading, TV-watching and occasional shows with inmate talent. Incidentally, some of the more versatile musical groups from the men's correctional institutions in the system perform at Tipton about once a month where they receive a rousing reception.

Future Plans for the Department of Corrections

Present programs in operation contemplate increased enhancement of the vocational training and treatment programs for inmates. Expansion of services to the State by providing work details in collaboration with certain agencies should promote conservation and aid the development of natural resources in addition to supplying constructive work and training for inmates.

Governor Warren E. Hearnes has recommended to the General Assembly that planning funds be made available to the Department for development of a specific program for organization changes evolving around a replacement for the aged Penitentiary in Jefferson City. The planning will be done by Department officials utilizing professional advisors such as architects, engineers and the State Division of Planning and Construction. It is generally recognized now that certain basic structures must be included in the plans. One of these units will be a maximum security facility for approximately three hundred men, constructed so that work and educational programs may be provided along with the necessary close security and control that is essential. A Diagnostic and Reception Unit and Hospital will be imperative. After the study and planning has been completed, it is likely that the Department will be in a position to recommend to the Governor whether or not the maximum facility will be a separate entity or will be included as a unit in a larger replacement penitentiary.

EXHIBIT #22

REPORT FOR
GOVERNOR'S CITIZENS COMMITTEE ON DELINQUENCY AND CRIME
SUBMITTED BY
STATE BOARD OF PROBATION AND PAROLE
MARCH 1, 1967

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DIVISION OF BOARD OF PROBATION
AND PAROLE

Organization

The Division of Probation and Parole was established by Statute in 1937, and began operating under the direction of a full-time Board in 1946. The laws were revised in 1957, with minor changes enacted in 1961. At the present time the division operates under the provisions of Sections 549.201 through 549.310, Revised Statutes of Missouri, 1959, and the Cumulative Supplements of 1963 and 1965.

The Board of Probation and Parole consists of three full-time members appointed by the Governor by and with the advice and consent of the Senate. Not more than two members of the Board can be of the same political party, and decisions of the Board are by majority vote. Terms of members first appointed under the new law were for six, four, and two years. All future appointments will be for six-year terms.

The Governor is empowered to designate one member of the Board as chairman, and he is the chief administrative officer of the Board in charge of the Board's operations, funds, and expenditures. In the event of absence or illness, the chairman is authorized to designate another member to act as chairman with all the powers of the regular chairman.

The state is divided into various areas as shown on the district map. There is a chief supervisor for the entire state. The state is further divided into four regions, with a regional administrator. Each district within the region is under the direction of a supervisor or an experienced senior officer, subject to the general policy and procedural direction of the Board. It is the duty of field probation and parole officers to make pre-sentence investigations for the courts; to supervise probationers; to make pre-parole investigations for the Board; to supervise parolees from the five adult penal institutions; to make interstate probation and parole investigations; to supervise probationers and parolees received under the provisions of the Interstate Compact from other states; and to make such other investigations as requested by the Board or the courts. In addition to the field staff, there are institutional parole officers assigned to the major correctional institutions, whose responsibilities include counseling with inmates regarding their parole release plans, and preparing the inmate for release to parole supervision. The institutional officer acts as the liaison between the Board and the staff of the institution, the inmate populations, and interested persons.

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Parole

The Board must grant a hearing, upon application, to any person committed to a penal or correctional institution under the administration of the Department of Corrections after he has served either one-third of his time or twelve months of the time for which he was sentenced, whichever is less, without a conduct violation while incarcerated. Persons with a conduct violation are eligible to make application for parole when they have served two-thirds of their time or two years of the time sentenced, whichever is less, and are given a hearing upon their application. The Board must hear each individual before granting him a parole.

The Board grants paroles to persons confined in institutions under the administration of the Department of Corrections. The Board is also authorized to discharge persons from parole, or to revoke paroles and cause such parolees to be returned to the institution.

The law states that all personnel and correctional officials must grant to members of the Board or its properly accredited representatives, access at all reasonable times to any prisoner over whom the Board has jurisdiction. It also states that they must provide the Board or its representatives facilities for communicating with and observing such prisoner; furnish to the Board such reports as the Board shall require concerning the conduct and character of any prisoner in their custody; and furnish any other facts deemed by the Board pertinent in the determination of whether or not the prisoner shall be paroled.

When an applicant is approved for parole after a hearing, he is requested to submit a placement plan consisting of a home and employment. The plan is investigated by the parole officer upon the Board's request. Oftentimes the Board may request other reports, such as an official and community attitude report, medical, psychiatric, etc. before making a final decision on an application for parole.

When a person is granted parole, the Board issues an order of parole which recites the conditions of parole. The parolee is then under the supervision of the Board until such supervision may be terminated by expiration of his sentence; reduced by commutation of sentence; by return to confinement as a parole violator; or by pardon or death.

In some instances, the Board, in accordance with the statutes, may release a man to a detainer; that is, to another jurisdiction for imprisonment or trial.

Time served on parole is considered service on the term of imprisonment, other than specified by law relating to the classification of a parolee who is

or has been a fugitive from justice. When a first offender is discharged from parole, the Board, upon proper showing, issues a certificate of restoration of citizenship.

At any time during release on parole the Board may issue a warrant for the arrest of a parolee for violation of any of the conditions of parole, or a notice to appear to answer to a charge of violation. This notice is to be served personally upon the parolee. In cases where the warrant cannot be served, the parolee is classified as a fugitive from justice or to have fled from justice. All such parolees are brought before the Board for a hearing on the violation, unless the parolee waives this hearing. The Board may then order the parolee returned to supervision or to the institution for further incarceration on his sentence.

Probation

In Missouri a judge of any Circuit or Criminal Court may request the services of a state probation and parole officer to act as probation officer for such Court, and when requested by the Court, the officer shall make an investigation of any person convicted of a crime or offense before sentence is imposed. When such a sentence is imposed, the offender is committed to the Department of Corrections to serve a term in one of the state's correctional facilities.

Probation is not a sentence, but rather another chance given the offender to show that he can live and work in a free society without committing other crimes. In most instances, the person on probation may continue to live with his family and work in his own community. There are, of course, conditions of probation which must be met. The probationer must remain law-abiding, must not leave the state without the consent of the Court, and must remain under the supervision of the probation officer. He also must meet any additional conditions of probation, such as making restitution to the persons injured or for property damaged as the result of the offense committed. He may be required, as a condition of probation, to spend some time in the county jail, either at the beginning of the probation period, or, if his actions warrant such confinement, at any time during the probation period. If an individual commits a serious violation of a condition of probation, he may be returned to the Court and sentenced for the crime for which he was originally placed on probation. While such sentences are imposed, they are not frequent. Approximately four of each five probationers complete their probation without receiving sentences for committing new crimes or seriously violating any conditions of the probation.

Before making a determination of whether to place a convicted person on probation or sentence him to imprisonment, the Court must consider the public interest as well as the welfare of the individual offender and his immediate family. The Court must feel reasonably sure that if the person is placed on probation, he will not commit additional criminal acts. Such assurance is best gained by obtaining as much information as possible about the habits, associates, patterns of conduct, sense of values, physical and mental well-being, education, and other factors which influence the actions and personality of the individual involved. This information is obtained through a pre-sentence investigation report, the preparation of which is one of the more important functions of the probation officer. After conviction, but before sentence, the probation officer checks the official records, and interviews the offender, members of his family, friends and relatives, and other persons who are acquainted with him, in order that he may prepare as complete a report as possible for the Court's use in making a decision.

If a prison sentence is imposed, the pre-sentence investigation report is sent to the Missouri Department of Corrections to serve as a basis for further study of the individual and development of a treatment program.

If the Court places the offender on probation, he is placed under the supervision of a probation officer. In Missouri there are both local and state probation officers. All adult probation services in St. Louis City are locally administered. Recently, however, some cases have been transferred to the State Board of Probation and Parole for supervision, especially those cases transferred out-of-state, or elsewhere within the state. State probation and parole officers are active throughout the remainder of the state, supervising probationers and preparing pre-sentence investigation reports.

Interstate Cooperation

Many inmates of state correctional institutions are not native to the states where they are imprisoned. In most instances, these persons may submit placement plans for release to another state, which would be more conducive to their parole adjustment.

Missouri is a signatory to the Interstate Compact for the Supervision of Parolees and Probationers and works with the several states under the provisions of the Compact, which facilitates transfer of a parolee or probationer to another jurisdiction.

The chairman of the Board serves as compact administrator for Missouri, and the Board's secretary serves as deputy compact administrator.

The states serve as each other's agents in the supervision of certain parolees

and probationers. The compact provides a simple legal method whereby parolees and probationers may move to better rehabilitative environments outside the state without losing the advantages of supervision or escaping from the jurisdiction of the state in which they were sentenced.

All cases are handled through mutual agreement of reciprocity of service.

Other

All applications for pardon, commutation of sentence, reprieve, or restoration of citizenship are referred to the Board. The Board investigates each such case and submits a report of the investigation to the Governor, together with other information the Board may have relating to the applicant, with any recommendation the Board deems appropriate.

Legislation

The Board has recommended several statutory revisions to plug "mouseholes" in the present laws governing probation and parole. These have been incorporated in Senate Bill #247, and is pending legislative action. If approved, these changes will tighten up both the probation and the parole laws. We believe we will then have a quite satisfactory legal base for policy, as well as operating procedures.

There are several areas of the present laws that warrant extensive study and modernization. There are conflicting statutes in regard to pardon and restoration of citizenship. We would suggest the entire penal code be studied with respect to offenses, sentencing, length of sentence, commutation, the granting of jail time, and the 9/12ths law. The 9/12ths law, in effect, means that a prisoner committed to the Department of Corrections will fully complete the sentence imposed by the court in three-fourths of the time imposed. We would recommend a modified indeterminate sentence structure be considered -- one which would provide a minimum and a maximum sentence for each offense. We would also recommend that the feasibility of a mandatory pre-sentence law for all felony convictions be given serious consideration.

Operating Procedures and Policies

During the past eight to ten months considerable thought, time and effort has been expended in studying and preparing major revisions in the operations of the Board of Probation and Parole. The culmination of these efforts will be a new Field Manual, with July 1, 1967, as the target date for implementation. All levels of the field staff, together with the Board, have actively participated in these discussions and decisions. The "new look" will emphasize a tightening up

of operational procedures and reduction of the volume of paper work on the part of our line officers.

We have gradually effected a change in ratio of clerical to professional staff, and as of February 1, 1967 (with only two exceptions because of personal reasons) have formulated a ratio of two officers to one clerical person. We will have eliminated, revised and modified much of the statistical reports and record keeping system so that clerical personnel should be able to assume much more responsibility, thereby releasing more time for the officer to do what he was hired and trained to do -- supervise clients and make investigations. We have decided on a comprehensive organizational structure that will accommodate our present and short range (to July, 1968), as well as long range goals and projections to allow for additional services that may be added as the result of potential legislative decisions.

We have established some, and are in the process of formulating the remainder, specific duties and responsibilities for each of the professional classifications that clearly detail the level of competence and job performance expected, and avoid duplication of efforts in the supervisory positions. We are in the final stages of perfecting a detailed training manual for both the trainee entering our employment and the trainer who will be responsible for his on-the-job training.

We will be participating with the Department of Corrections and the University of Missouri in a partially federal financed project to provide specific training to supervisory personnel. Within the next several years we will be deeply involved with the Department of Vocational Rehabilitation in a largely federally financed project designed to provide vocational training to the public offender, the ground work for which has already been determined. We soon expect to participate in a national research project dealing with uniform parole reports.

We are quite well situated in regard to office furniture and equipment in all of our district offices. However, we have a critical space problem in our St. Louis district office, and need to find more suitable office space for our St. Joseph district office. The remainder of our district offices will be able to accommodate the increased field staff projected to July, 1968. The Kansas City office will, by that time, have moved into the new state office building, in which sufficient space has been allocated (we are led to believe) for our staff as projected to July, 1968. We are likely to encounter office space problems in several districts -- Dexter, Kansas City, Springfield and Rolla -- as additional field staff is added, if in accordance with our recommended staffing pattern projections.

We are currently endeavoring to obtain more suitable office space in St. Joseph. When this is obtained, our office space problem there will be solved. St. Louis office space is critical. If we were able to fill the present four vacancies at once, we would be hard pressed to find space for the officers within the office. We will be unable to accommodate the six additional officers included in the 1967-68 budget request in our present quarters. We must either have the owner of the building construct an addition, or try to move to larger quarters. Either alternative will be quite costly in terms of lease or rental. Whatever decision is made must also allow for the further expansion of staff in the St. Louis district office in line with our recommended staffing pattern projections.

Analysis of Present Staffing Patterns and Workload Distribution

The state map on the next page shows the districts of the Board of Probation and Parole; where offices are located; the number of staff at the several officer levels in the district; and the caseload (in parenthesis) for that district, as of January 1, 1967. The following code is used:

- CC I - Corrections Caseworker I (entry level)
- P & P O I - Officer
- P & P O II - Experienced officer
- P & P S I - District Supervisor
- P & P S II - Regional Administrator

The small numbers in each county indicate the judicial circuit.

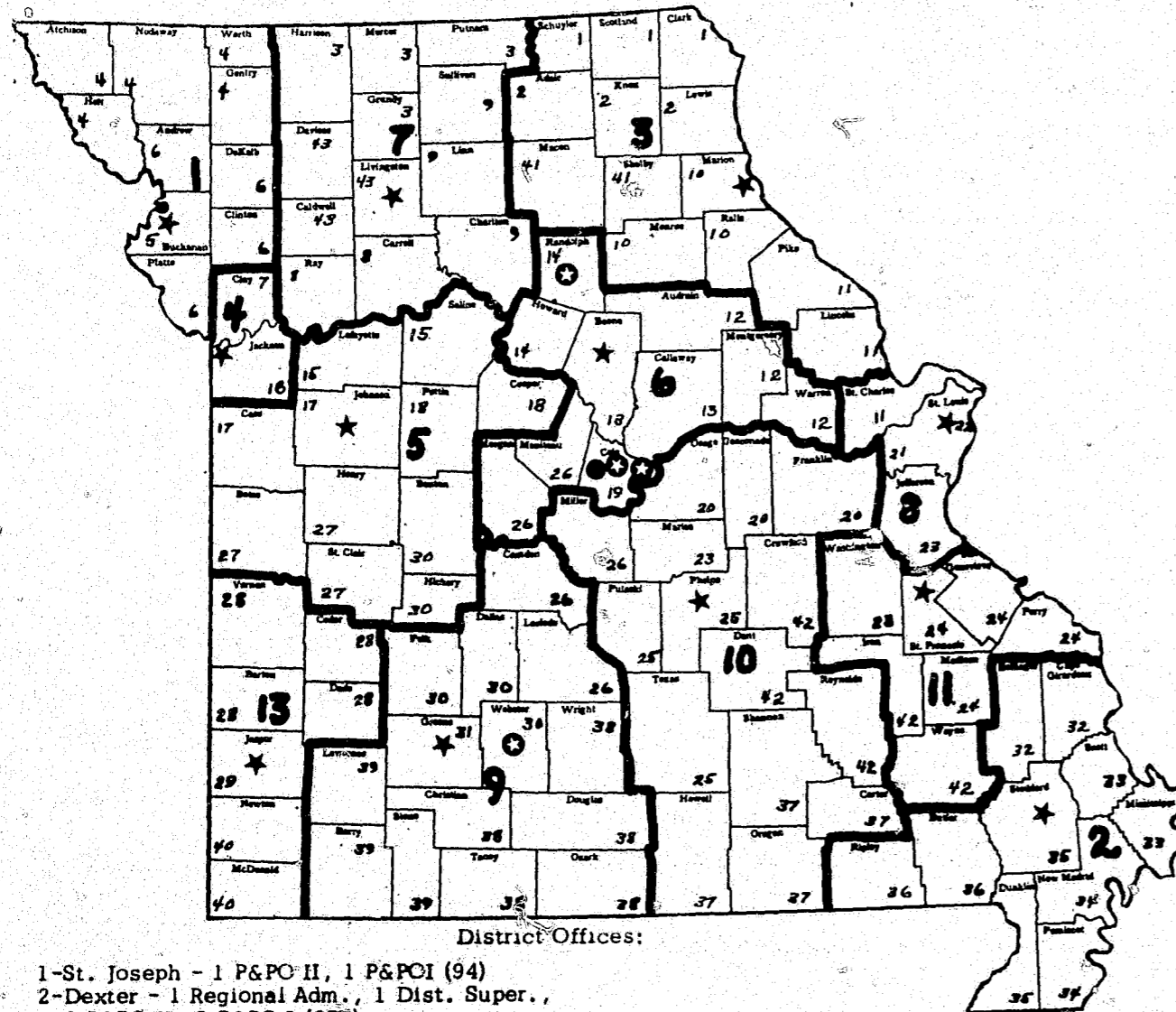
On December 31, 1966, the following number of cases were under field officer supervision:

Missouri State Penitentiary, Jefferson City.....	371
Missouri Intermediate Reformatory, Algoa	146
Missouri Training Center for Men, Moberly	163
Missouri Penitentiary for Women, Tipton	44
Adult Probation	1,650
* Cooperative cases supervised by Missouri	574
Total	2,948

* - Missouri has 482 persons under supervision in other states.

Following the district map is a breakdown for all officer and supervisory positions, indicating the number of personnel in each position category. The salary breakdown reflects the number of personnel at the specific monthly salary step within the range.

BOARD OF PROBATION AND PAROLE



District Offices:

- 1-St. Joseph - 1 P&PO II, 1 P&PO I (94)
- 2-Dexter - 1 Regional Adm., 1 Dist. Super., 2 P&PO II, 3 P&PO I (277)
- 3-Hannibal - 1 P&PO II, 1 P&PO I (73)
- 4-Kansas City - 1 Regional Adm., 1 Dist. Super., 6 P&PO II, 1 P&PO I, 2 CC I (563)
- 5-Warrensburg - 2 P & P O II (70)
- 6-Columbia - 1 Dist. Super. I, 2 P&PO I (181)
- 7-Chillicothe - 1 P&PO II (69)
- 8-St. Louis - 1 Regional Adm., 1 Dist. Super., 4 P&PO II, 1 P&PO I, 4 CC I (1004)
- 9-Springfield - 1 Regional Adm., 1 Dist. Super., 2 P & P O II, 2 P&PO I (240)

- 10-Rolla - 1 Dist. Super., 1 P&PO II, 2 P&PO I (165)
- 11-Farmington - 2 P&PO II (99)
- 13-Carthage - 1 P&PO II (113)

Regions:

- Regional Administrator - Dist. #4 - includes Districts #1, #4, #7
- Regional Administrator - Dist. #8 - includes Districts #3, #8
- Regional Administrator - Dist. #2 - includes Districts #2, #10, #11
- Regional Administrator - Dist. #9 - includes Districts #5, #9, #13

PROBATION AND PAROLE SUPERVISORS AND OFFICERS

Total Number of Positions authorized through June, 1967 62

Position Breakdown

	Central Office	Institution	Field	Total
Corrections Caseworker I (Trainee for prob. & par. off. I)		2	6	8
Probation & Parole Officer I			13	13
Probation & Parole Officer II		2	(+5 vac. - 2-1-67)	25 (+5 vac.)
Probation & Parole Supervisor I (District Supervisors)			6	6
Probation & Parole Supervisor II (Regional Administrators)			4	4
Probation & Parole Supervisor III (Chief Supervisor)	1			1
TOTAL	1	4	57	62

Salary Breakdown*

	Field						Staff Total		
	407	427	448	470	494	519	545		
Correc. Caseworker I					6			6	
Prob. & Par. Off. I	448	470	494	519	545	572	600	13	
Prob. & Par. Off. II			6	6	1			23	
Prob. & Par. Super. I					2	2	1	1	6
Prob. & Par. Super. II						2	2	4	
								(52 + 5 vac.)	
Chief Supervisor	661	694	729	765	803	843	885		
Prob. & Par. Super. III						1		1	
								(1)	
	407	427	448	470	494	519	545		
Corrections Case. I				2				2	
Probation & Par. Off. II	494	519	545	572	600	630	661	2	
								(4)	
GRAND TOTAL								62	

* - This includes all salary increases scheduled up to 7-1-67.

The following Chart #A (Field) and Chart #B (Institutional) presents in detailed form the breakdown of personnel by districts, and the workload analysis of the officers within the district. It is to be noted that six field officers and two institutional officers are in the beginning entry level; most of whom have not, or only recently, have completed their required six months' probationary period of employment; and thirteen have had only limited employment experience. This is nearly one-half of the total line officer staff of the Board. Therefore, the average caseload per officer is not nearly as favorable as the figures might indicate. In most districts where there are officers at the Corrections Caseworker I level (and to some extent the Probation and Parole Officer I level as well), these personnel are not carrying their "average" load because they do not have the experience necessary to do so. The situation in St. Louis is critical; nearly half the line officer staff falls in this category; and, in addition, there are four vacancies. The result of this situation is that Probation and Parole Officers II must carry a considerably heavier load than the average would indicate, with some officers having as high as 130 cases to supervise, in addition to a larger number of investigation assignments than the "average" would again indicate.

District Supervisors must, of necessity, carry a case and investigation workload in Kansas City, Columbia, St. Louis, Springfield, and Rolla. This is an inefficient and costly use of their time and talents, since their time is then inadequate to manage the office; administratively review the work of the staff; engage in staff training and supervision; actively recruit new personnel; and carry on a public relations program with officials, other agencies, and the public.

It should be pointed out that a supervision caseload accounts for approximately 65 to 75% of a line officer's total work time. Investigation -- pre-sentences for the courts and a variety for the Board -- necessitates 25 to 35% of his time, and, in urban areas, may approach 40 to 50%. Another factor which must be considered is the geographic area in which the officer functions. Travel time alone is a major factor in large districts where concentration of cases is minimal or non-existent.

It is generally recognized that adequate workload standards are considered to be 50 cases under supervision, plus 6 to 8 completed investigations per month. Anything very much in excess of this results in inadequate supervision of clients and poor investigation reports.

Chart #A - Field Staffing Pattern and Workload Analysis as of 2-1-67

District	No. of Reg. Adm.	No. of Dist. Super.	No. of C.C. I (b)	No. of P & P O I (c)	No. of P & PO II	Total No. of Off.	Dist. case-load 12-31-66	Inves. compl. in 12-66	Av. case-load per officer as of 12-31-66
1-St. Joseph				1	1	2	94	16	47.0
2-Dexter	1	1		3	2	5	277	27	55.4
3-Hannibal				1	1	2	73	7	36.5
4-Kansas City	1	1	2	1	6	9	563	59	62.5
5-Warrensburg					2	2	70	13	35.0
6-Columbia	(a)	1		2		2	181	21	90.5
7-Chillicothe					1	1	69	3	69.0
8-St. Louis	1	1	4 (d)+4 vacancies	1	4	9 (13)	1004 (1004)	87	111.5 (77.2)
9-Springfield	1	1		2	2	4	240	21	60.0
10-Rolla		1		2	1	3	165	7	55.0
11-Farmington					2	2	99	10	49.5
* 13-Carthage			+ 1 vacancy		1	1 (2)	113 (113)	15	113.0 (56.5)
TOTAL-FIELD	4	6	6(b) +5 vacancies	13(c)	23	42 (47)	2948	286(e) (mo. aver. 6.8)	70.2 (62.7)

* - There is no District #12. This district was split up and absorbed by districts #3, and #6.

- (a) - The Chief State Supervisor in central office functions as Regional Administrator.
- (b) - Officers in this classification are at the beginning entry level - no prior experience -- and should carry a limited workload of supervision and investigation.
- (c) - Officers in this classification have 1 year, but less than 2 yrs. work exper.
- (d) - In addition to the four current vacancies in the St. Louis office, one more P & P O II is scheduled to transfer to the Carthage district (#13) no later than 7-1-67. The Carthage office will then be filled, but we will have 5 vacancies in St. Louis.
- (e) - A total of 286 investigations were completed in December, 1966. This averages 6.8 investigations per officer.

Chart #B - Institutional Officer Staffing Pattern
In Relation to Institution Population as of 2-1-67

Institution	Population	CC I	P&PO II	Total
Prison (a) (And reception center & L Hall)	1,881	1	1	2
Prison Farms (a)	436			
Tipton (a)	78			
Fordland (b)	98			
Moberly	625		1	1
Algoa	470	1		1
TOTALS	3,448	2(c)	2	4 (d)

- (a) - Currently the two institutional officers attempt to serve the prison, prison farms and Tipton
- (b) - Currently the Regional Administrator from the Springfield office serves Fordland
- (c) - Officers in this classification are at the beginning level -- no prior experience, and should carry a limited workload.
- (d) - This is a ratio of approximately 860 inmates to one officer

1967-68 Budget Request

The following Chart #C (Field) and Chart #D (Institutional) details the effect of additional staff provided in the currently pending budget request, as related to both staffing pattern and workload. The budget request will, if approved by the Legislature, add 11 line field officers and 3 line institutional officers, together with clerical and operational support for these positions. This request provides:

A - Personal Service	\$ 829,774
(Salary of Board and all personnel)	
B - Additions	23,592
(Capital office equipment for personnel added)	
C -Repairs and Replacements	6,420
D -Operation	244,100
TOTAL	\$1,103,886

It will be noted from Chart #C that there will still be an above-standard workload for officers in District #2 - Dexter; #4 - Kansas City; #6 - Columbia; #8 - St. Louis; #10 - Rolla; and #13 - Carthage.

The statistics for projected caseload and monthly investigations as of June 30, 1968, were obtained by a "straight line method, using the past five year average growth as the rate of increase. We believe this to be a conservative estimate, since it does not allow for increased use of probation by the courts; the paroling of a higher percentage of inmates; or added services that may be requested of the Board.

Chart #D indicates the location of work assignments by institutions if the three line institutional parole officers, as provided in the budget request, are approved by the Legislature.

Chart #C - Field Projected Staffing Pattern and Workload Analysis to 6-30-68

District	Staff as of 2-1-67			Line off. to be added by 67-68 budget request**	Total line off. by 6-30-68	Projected dist. case-load	Projected mo. investigations to 6-30-68	Aver. case-load per off. by 6-30-68
	No. of Reg. Adm.	No. of Dist. Super.	No. of line Off.					
1-St. Joseph			2		2	102	11.3	51.0
2-Dexter	1	1	5		5	290	27.4	58.0
3-Hannibal			2		2	84	8.2	42.0
4-Kansas City	1	1	9	2	11	586	57.5	53.3
5-Warrensburg			2		2	85	10.2	42.5
6-Columbia		1	2	1	3	185	18.0	57.0
7-Chillicothe			1	1	2	76	6.1	38.0
8-St. Louis	1	1	13 (incl. 4 vac.)	6	19	1146	90.4	60.0
9-Springfield	1	1	4	1	5	250	26.4	50.0
10-Rolla		1	3		3	180	15.8	60.0
11-Farmington			2		2	97	7.8	48.5
13-Carthage			2 (inc. 1 vac.)		2	112	9.8	56.0
TOTALS	4	6	47	11	58	3193	288.9	55.1

** - as approved by the Governor upon an appeal request, and currently pending Legislative action.

Chart #D - Projected Institutional Officer Staffing Pattern in Relation to Institution Population Projected to 6-30-68

Institution	*Projected Population to June, 1968	No. of Institutional officer staff as of 2-1-67	Institutional Parole Officer staff to be added by 67-68 Budget Request**	Total staff by 6-30-68
Prison	1,846	2	1	3
Farms	637			
Tipton	85		1	1
Fordland	117			
Moberly	900	1	1	2
Algoa	500	1	0	1
TOTALS	4,145	4	3	7

* - Population projection obtained from Department of Corrections

** - As approved by the Governor upon an appeal request, and currently pending Legislative action.

Recommended Staffing Pattern
Based on Upgrading Level of Service by 6-30-68

Chart #E (Field) and #F (Institutional) have been prepared to detail the staffing pattern and workload distribution if adequate probation and parole standards are to be achieved, as based on projected caseload and institutional populations to 6-30-68. It is to be noted that this standard will require the addition of 3 district supervisors and 8 line officers to field services; and (Chart #F) 7 institutional line parole officers and 1 supervisor, above and beyond the staff requested in the 1967-68 budget request.

We do not believe this can be achieved by July, 1968, but it does provide the initial basis, at least, for subsequent budget requests. As with the current budget request, the above recommendations do not take into consideration the possible increasing level of use of probation by the courts, or the paroling of a higher percentage of inmates. These recommendations would then require an upward revision in line with such increased usage of probation and parole. These recommendations also do not take into consideration the potential request for added services: such as, a mandatory pre-sentence law; the state taking over the St. Louis City Adult Probation service; the extension of services to the magistrate courts, even if on a limited and highly selected casework basis for misdemeanants; investigations for recognizance bonds; or consolidation of existing related state or county services.

We have had several requests for probation service from magistrate courts, but up to this time have declined to provide this service. The Board has tentatively considered a limited or pilot project for highly selected misdemeanants in those districts where our workload could justify this additional service -- particularly in District #3 - Hannibal; #5 - Warrensburg; and, if our budget is approved as requested, in #7 - Chillicothe; provided magistrate courts in any of the districts would be interested in such service.

Chart #E - Recommended Staffing Pattern by 6-30-68 - Based on Projections
(See Chart #C)

District	Additional staff needed to upgrade level of service		Total Recommended Staff by 6-30-68			Average Case-load by 6-30-68 if Recommended Staff Were to Be Obtained
	No. of Dist. Super.	No. of Line Officers	No. of Reg. Adm.	No. of Dist. Superv.	No. of Line Officers	
1-St. Joseph					2	51.0
2-Dexter		1	1	1	6	48.3
3-Hannibal					2	42.0
4-Kansas City	1	1	1	2	12	48.3
5-Warrensburg					2	42.5
6-Columbia		1		1	4	46.2
7-Chillicothe					2	38.0
8-St. Louis	2	4	1	3	23	49.9
9-Springfield			1	1	5	50.0
10-Rolla		1		1	4	45.0
11-Farmington					2	48.5
13-Carthage					2	56.0
TOTALS	3	8	4	9	66	48.4

Chart #F - Institutional Staffing Pattern by 6-30-68 - Based on Projections
(See Chart #D)

Institution	Additional Line Staff Needed to Upgrade Level of Service*	Total Recommended Staff by 6-30-68
Prison	3	6
Farms	2	2
Tipton		
Fordland	0	1
Moberly	1	3
Algoa	1	2
TOTAL	7	14
Institutional Parole Supervisor (At the PS II level)	1	1
TOTALS	8	15

* - Ratio of population to institutional officer should be 200 - 250 to 1: our recommendation is based on a ratio of about 300 to 1.

The Board

By statutory requirement, parole hearings must be held for each inmate committed to the Department of Corrections. At a hearing the inmate personally appears before the Board at the institution in which he is confined. The Board schedules such hearings (a few months earlier than required by statute) as follows:

Length of Sentence	Hearing Scheduled After:
2 years	6 months
3 years	8 months
4 years or more	1 year

Each case is reviewed for possible parole consideration at a minimum of once a year if the inmate was not initially paroled; and for those inmates sentenced to long terms, a parole hearing is now being scheduled at least once every five years after the initial hearing. Presently the Board is paroling approximately 33% of the total number of inmates released from the Department of Corrections. Inmates are also entitled to a personal hearing by the Board, if they so request, in regard to revocation of their parole, and about 27% request this hearing.

The following chart reflects the work of the Board in regard to these matters:

	62-63	63-64	64-65	65-66	66-67*	67-68**
No. of Board hearings for parole release	1512	1486	1418	1468	1560	1585
No. of Board reviews	1002	1077	852	825	912	933
Number Paroled	504	583	603	642	647	668
Number Revoked(a)	99	101	139	144	152	160
Number of new cases opened (b)	1702	1560	1561	1652	1776	1801

* - Projected for 1-67 to 7-67

** - Projected for 7-67 to 7-68

(a) The average revocation rate for the five-year period is 21.3%.

(b) This is the total of new commitments to the Department of Corrections. The Board must review each case and establish a hearing date several months prior to the actual hearing.

The Board and its staff also serves the Circuit Courts of the state for adult probation services, except for the City of St. Louis. Only the court can place the offender on probation; and only the court can revoke his probation, which usually results in a sentence to the Department of Corrections. The following

chart shows the number of persons placed on probation under supervision of the Board:

	62-63	63-64	64-65	65-66	66-67*	67-68**
Placed on probation	838	1022	1102	1092	1116	1140
Probation revoked	231	234	261	309	336	363

* - Projected for 1-67 to 7-67.

** - Projected for 7-67 to 7-68.

For parole supervision to be worthwhile, from the point of view of helping the individual readjust to society, we believe a minimum of six months under supervision is required. Under the 9/12ths statutory provision, all sentences (except for life) are considered as completed when the inmate has served 3/4ths of his sentence. In addition, the inmate earns "good time" during his sentence, which varies in relation to his conduct, work or school assignment, blood donations, etc. If the court has allowed jail time (part or all of the time the offender spent in jail prior to being received by the Department of Corrections) this time must also be subtracted from his sentence.

Normally an inmate will be released from custody and the completion of his sentence after serving slightly more than one-half of his term. Thus, if an inmate appears to be a reasonably fair parole risk, he must be paroled at an early date in relation to the length of his sentence. As our staff of field and institutional officers is able to be increased and their workload reduced, the Board would foresee the time when the number of inmates paroled could gradually be about doubled. A number of states are paroling many more than 1/3 of their inmates; in fact, some states are releasing to parole supervision as high as 90 to 95% of offenders incarcerated in their penal institutions. Some jurisdictions have a mandatory release law whereby all inmates (except those who die in the institution or are executed) are released to field supervision. The risk to society would probably not be much greater if our staff were able to provide intensive supervision. We are certain the rate of revocation would rise, however, with an increased percentage of release on parole. The savings in tax monies, based on the per capita cost of incarceration as compared to adequate parole supervision, would be substantial, and, at the same time, protection of the public would be improved. This cannot be accomplished without increasing the treatment staff in the correctional institutions, as well as the field staff to supervise the released offender.

As these possibilities gradually develop in Missouri, hopefully within the next several years, attention must be given to enlarging the number on the Parole Board. We would suggest that in the near future two more full-time Board Members be added. This would permit a number of needed improvements: The Chairman of the Board could devote his full time to the administration of the agency; the Board Members could be divided into two "teams" which would permit more intensive study of individual offenders for possible release on parole, and permit them to become much more knowledgeable, (and hence have a better understanding) of the individual; parole hearings (not just an annual review of the file material) could be held on a yearly basis for all inmates; split decisions referred to the other "team" for majority decision; and reports of violation of parole conditions could receive closer scrutiny and an offender could be revoked and returned to the institution when his conduct or behavior appears to be a threat to society.

Recommended Revisions of Positions,
Qualification Requirements and Salary Schedules

The following material for this report details our recommendations for the above indicated revisions, and has been prepared as a separate request to Mr. Norris F. Steenberger, Director, Personnel Division, Jefferson City, and submitted to him in the following letter, dated March 2, 1967.

This material is included here to "round out" the full report of the Board of Probation and Parole to the Governor's Citizens' Committee on Delinquency and Crime.

WARREN E. HEARNES
GOVERNOR

WALTER G. SARTORIUS, CHAIRMAN
BEN B. STEWART, MEMBER
E. B. ROBINSON, MEMBER

J. RAYMOND BILLS, SECRETARY



CIRCUIT AND CRIMINAL COURTS
MISSOURI STATE PENITENTIARY
INTERMEDIATE REFORMATORY
MEDIUM SECURITY PRISON
WOMEN'S PENITENTIARY

STATE OF MISSOURI
BOARD OF PROBATION AND PAROLE

Jefferson City
March 2, 1967

Mr. Norris F. Steenberger
Director, Personnel Division
Box 388
Jefferson City, Missouri

Dear Mr. Steenberger:

Your attention is invited to the attached material relating to requested revisions of positions, qualification requirements and salary schedules pertaining to the Board of Probation and Parole. You will note that we have conducted a pertinent survey, which is reflected in Table I and highlighted by Table II.

Subsequently in the attached materials we have detailed our proposals and recommendations for these revisions, as succinctly presented in Tables III and IV, as follows: a) Reduce qualification requirements at entry level; b) strengthen qualification requirements for professional levels beyond the Probation and Parole Officer II position; c) add two new classifications - Probation and Parole Officer III and Senior Supervisor I (Senior District Supervisor); d) upgrade salary by a two range increase in line officer positions and a three range increase in supervisory positions; and e) place professional staff on the metropolitan scale where metropolitan rates now apply.

The Board of Probation and Parole sincerely believes that these proposals and requests are moderate; and are in keeping with the principles of the Merit System and the expectations of state government service by the citizens of Missouri. We believe that our staffing situation has become critical and will rapidly grow more severe unless changes are made in the immediate future. In addition, the Board's position as a state agency will very likely become untenable if pending legislation -- Senate Bill #193 -- is, in fact, enacted. This Bill provides major salary increases to juvenile court personnel, and we would anticipate the wholesale loss of our experienced officers and supervisors.

I, and other Members of the Board of Probation and Parole and its staff, will be most pleased to meet with you and/or the Personnel Advisory Board at any time to discuss and further elaborate on our recommendations and requests, if you or your Board so desire. A reply is respectfully requested.

Sincerely,

W. G. Sartorius
Chairman

COMPARISON OF POSITION QUALIFICATION REQUIREMENTS
AND SALARY RANGES

The Board of Probation and Parole, in February, 1967, surveyed the Central States Corrections Association, of which Missouri is a member. The United States is divided into a number of regional corrections associations based on geographic location, and the central area is comprised of thirteen states in this geographic region. It is noted that many of these states are Missouri's neighbors. Two of the Central States did not reply to the questionnaire (Nebraska and Illinois); and metropolitan areas of St. Louis and Kansas City, together with the Federal Probation System (since they have offices in St. Louis and Kansas City) were included.

The questionnaire was based on Missouri's present classifications and qualification requirements thereof, and requested information as to the classification qualifications and salary schedules from the respondent. The results of this survey are indicated in Table #1. It is to be noted that not all of the squares are filled in, since, in some instances, it was impossible to equate positions with qualification requirements and salary schedules from all respondents to the comparable Missouri structure. In fact, only Ohio has an organizational structure identical to Missouri.

QUALIFICATION REQUIREMENTS

A study of Table I will reveal that only three states (Iowa, South Dakota and Kansas) require but high school education. All the rest of the agencies surveyed report the B.A. as the beginning level, with time-in-grade (years of experience) as prerequisite to advancement. Only Wisconsin requires the Master's Degree for the line officer level (as well as supervisors), plus years of experience for advancement. Based on this study, Missouri compares very favorably in its classification requirements; and, in some instances, has higher requirements than that reported by other agencies for specific classifications.

The classification of Corrections Caseworker I has been included on Table I, as Missouri is the only state in this survey that requires one year of experience beyond the B.A. Degree for recruitment at our lowest parole officer position -- the Probation and Parole Officer I. Since it has been impossible to recruit persons who meet this requirement, we are currently attempting to hire at the B.A. level (no experience), which is the Corrections Caseworker I position; and even at this level we are unable to fill our vacancies. We will have five vacancies in our St. Louis district office; and may soon have at least one vacancy

in our Kansas City district office, the result of a progressive degenerative disease afflicting one of our professional staff members.

SALARY SCHEDULE COMPARISONS

The second section of Table I presents a comparison by the respondents of this questionnaire to Missouri's present salary structure. Table II makes it strikingly clear that for comparable classifications no state has a lower beginning salary for entry line officers; and only Indiana has a lower top salary at the entry level. In the lowest supervisory position only Iowa has a lower beginning and top salary; and Kentucky a lower beginning salary. All reporting agencies, except two (Wisconsin and Minnesota) state that they can begin at a higher salary within the range, depending upon ability to recruit and the training and experience of the individual being considered. Missouri does the same thing, but only at the beginning level. We are attempting to recruit persons at the beginning level at \$470 per month, with a top range for the line officer at \$661. All of the respondent reports show a higher potential of earnings for the line officer, ranging from \$10 to \$275 per month, with an average of about \$160 per month more than Missouri officers can anticipate. Of special significance is the situation between St. Louis and the State of Missouri. Our officers at the Probation and Parole Officer II level have a range of \$94 - \$661; St. Louis City Officers, who do only court work, have a range of \$661 - \$771. Their range starts where ours ends. It is not surprising that we are unable to fill our vacancies in our St. Louis district office, and very probably will not be able to do so until and unless this is remedied. This great disparity in salaries for comparable positions results in our staff leaving the state office as soon as they have been trained and gained the experience to qualify for the next level of advancement.

A comparison of the supervisory positions reveals essentially the same situation between Missouri and the responding agencies, and, again, consider St. Louis City: the supervisor of their office, whose position is comparable to the supervisor in our St. Louis district, has a starting salary which is \$161 above the maximum which we are able to pay our supervisor.

It can, therefore, be unequivocally stated; Missouri State Probation and Parole Officers and Supervisors have as high or higher qualification requirements for their various job classifications as any adult probation and parole agency within the State or within the Central States Corrections region; and, at the

same time, no state or jurisdiction within our survey has a lower salary at the entry level, and almost (only two exceptions, Iowa and Kentucky) throughout the entire classification salary structure.

TABLE #1
COMPARISON OF SALARIES AND QUALIFICATIONS
PROBATION AND PAROLE OFFICER AND SUPERVISORY POSITIONS

	Qualifications					
	Correc- tions Case- worker I	P & P O I	P & P O II	P & P Sup. (Dist. Super.)	P & P Super. II (Region- al Adm.)	P & P Super. III (Chief Super)
Missouri	BA	BA+1yr.	BA+2yr	BA+3yr	BA+4yr	BA+5yr
Iowa	HS+2yr					
Michigan	BA		BA+	BA+		BA+
South Dakota	HS		HS			
Kentucky	BA	BA		BA+5yr	MA+5yr	
Ohio	BA					
Minnesota	BA		BA+4yr			
Wisconsin	BA		MSW	MSW +3yr	MSW +4yr	MSW +4yr
Kansas	HS					
Indiana	BA		BA+2yr	BA+4yr		
N. Dakota	BA					
St. Louis City	BA		MA			
Kansas City	BA		BA+2yr	BA+4yr		
Federal	BA		BA+2yrs			
Salaries						
Missouri(now)	407-545	448-600	494-661	545-729	600-803	661-885
Iowa	460-650		650	500-700		
Michigan*	592-742		737-916	916-1113		1138-1841
South Dakota*	500-625		600-725	700-825		
Kentucky	436-583	457-643		530-745	643-906	
Ohio*	437-593	499-676	693-936	762-1022	953-1291	1024-1482
Minnesota*	569-812		641-913	722-1028		
Wisconsin	543-708		638-828	748-973	813-1053	828-1153
Kansas	436-647			616-788		
Indiana	475-525		525-725	600-775		
N. Dakota	600-700					911*
St. Louis City*	537-628	561-651	661-771	771-882	964-1172	
Kansas City	438-559		532-679	713-909		
Federal	537-910		641-910			

* - Effective July 1, 1967

TABLE # II

COMPARISON OF CURRENT MINIMUM AND MAXIMUM SALARIES BY COMPARABLE CLASSIFICATIONS BETWEEN MISSOURI STATE AND MISSOURI METRO AREAS AND OTHER CENTRAL STATES

Current Missouri		States With Lower Beginning Salary	Lesser By	States With Lower Top Salary	Lesser By
Classification	Schedule	State		State	
Corrections Caseworker I	407-545	None		Indiana	\$20
Probation and Parole Officer I	448-600	None		None	
Probation and Parole Officer II	494-661	None		Iowa	\$11
Probation and Parole Superv. I	545-729	Kentucky	\$15	Iowa	\$29
		Iowa	\$45		
Probation and Parole Superv. II	600-803	None		None	
Probation and Parole Superv. III	661-885	None		None	

REQUESTED POSITION CLASSIFICATION QUALIFICATION REQUIREMENTS AND SALARY SCHEDULE ADJUSTMENTS

Based on the foregoing analysis of our present qualification requirements and salary schedules, it is abundantly clear that Missouri must take some immediate corrective action. It appears to us that we have but three possible alternatives: (1) drastically reduce and lower qualification requirements for all positions; (2) a major upgrading of all our salary schedules; or (3) a modest combination of (1) and (2). After considerable study and analysis relating to the present as well as long term effects on organizational structure, recruitment and retention of staff, the Board is proposing a major revision in accordance with point (3) above.

Qualification Requirements

(Requested to be effective July 1, 1967)

We suggest a reduction and lowering of the entry level requirements. Presently we are trying to recruit at the B.A. level, already a reduction from the B.A. plus one year experience requirement for the position of Probation and Parole Officer I.

We propose that the entry level be available to persons with a B.A.; or, three years college plus 2 years related experience; or, 2 years college plus 4 years related experience. This related experience must be in the general field of probation and parole work. A person recruited at this entry level would be considered as a Probation and Parole Officer I TRAINEE and enter a two-year on-the-job, in-service training program, which, together with other requirements, would prepare him to advance to Probation and Parole Officer II (professional journeyman level).

Requirements for Probation and Parole Officer II would remain as presently constituted. We propose to add a Probation and Parole Officer III ADVANCED level for professional skill and competency, together with limited supervisory and administrative responsibility, as partial preparation for the Supervisory I level (District Supervisor). Since we already have one district office (St. Louis) with more staff than one District Supervisor can realistically be expected to supervise, we propose to add a Senior District Supervisor to our organizational structure. Qualification requirements for classifications from the Probation and Parole Officer III through the Probation and Parole Supervisor III have been strengthened to require progressively greater degree of experience, skill and competency of job performance.

Salary Scale Adjustments

(Requested to be effective July 1, 1967)

Because we are unable to fill existing vacant officer positions, even at the beginning level, we are requesting the following range increases:

<u>Class</u>	<u>Present</u>	<u>Requested</u>
Probation and Parole Officer I (Trainee)	34	36
Probation and Parole Officer II (Journeyman)	36	38
Probation and Parole Supervisor I (District Super.)	33	41
Probation & Parole Supervisor II (Regional Adminis.)	40	43
Probation & Parole Supervisor III (Chief Supervisor)	42	46

In addition, we request that two new position classifications be established:

Probation and Parole Officer III (Advanced) - Range 39;

Probation and Parole Supervisor I Senior (District Supervisor) - Range 42.

Table III succinctly presents our present organizational structure and salary schedules for line officer and supervisory personnel. Table III also compares the present structure with our proposed and requested readjustments, both for position qualification requirements and salary schedules pertaining to the several current and proposed classifications for line officers and supervisory personnel. Appended hereto is a concise statement of duties; required knowledge; skills and abilities; minimum training and experience qualifications; and recommended salary range for each position listed above.

Table IV presents a graphic comparison between the proposed and above requested salary adjustments as compared to the data of Table I (a "Comparison of Salaries and Qualifications for Probation and Parole Officers and Supervisory Positions" from our within-the-state and "neighboring" central states). If recommendations are accepted and approved, effective July 1, 1967, Missouri would not be the lowest state or agency in terms of salary, but would rank at about the middle of the various states and agencies salary ranges.

A careful study of Table IV will reveal that we will still compare rather unfavorably with our own City of St. Louis, even if our proposed and requested qualification requirements and salary adjustments are approved. St. Louis City will still be able to recruit at \$43 per month higher than the State for the beginning entry level position (Probation and Parole Officer I); \$116 per month higher for the Probation and Parole Officer II level; \$141 per month higher for the Probation and Parole Supervisor I (District Supervisor level); and \$270 per month

higher for the senior supervisory level. Since our major problem of recruitment at any classification level, and retention of staff once they are trained by us, is critical in the metropolitan areas (St. Louis and Kansas City), even the approval of our proposals and recommendations will be insufficient to obtain and retain staff in those areas.

For some years the Missouri Merit System has had a metropolitan scale in effect, at least for secretarial and clerical employees and some other classifications. This metropolitan scale provides a two or three-step increase above the minimum and maximum salary in the particular classification. We, therefore, recommend and request that our professional positions (line officers and supervisory positions) be placed on this metropolitan scale.

TABLE III
SCHEDULE OF QUALIFICATION REQUIREMENTS AND SALARY

Classification	Current			Requirements	Proposed	
	Range	Index #	Salary		Range	Salary
Prob. & Par. Off. I (Trainee Officer)*	34	5121	448- 600 (Annual) 5,376- 7,200	BA; or 3yr. college +2yr experience in prob. & par. work; or 2 yr college + 4 yrs. experience in prob. & par. work	36	494- 661 (Annual) 5,928- 7,932
Prob. & Par. Off. II (Officer)**	36	5122	494- 661 (Annual) 5928 7,932	B.A. +2yr related experience; or 2 yr related graduate study	38	545- 729 (Annual) 6,540- 8,748
Prob. & Par. Off. III (Senior Officer)***		none		P&PO II require- ments + 1 yr. ex- perience in prob. & parole work (BA+3 yr. ex- perience; or M.A. +1 yr. experience)	39	572- 765 (Annual) 6,864- 9,090
Prob. & Par. Super- visor I (District Supervisor)	38	5123	545- 729 (Annual) 6,540- 8,748	P&POII requirement +2yr experience in prob. & parole work; 1yr. of which with Bd. of P & P (B.A.+4yrs. ex- perience, or M.A. +2yrs. experience)	41	630- 843 (Annual) 7,560 10,116
Prob. & Par. Super- visor I Senior (Senior District Supervisor in large districts)		none		P&POII requirement +3yr experience in prob. & parole, 2yr of which with the Bd. of P&P(B.A.+5 yrs. experience or M.A.+3 yrs. exper.)	42	661- 885 (Annual) 7,932- 10,620
Prob. & Par. Super- visor II**** (Regional Administrator)	40	5124	600- 803 (Annual) 7,200- 9,636	P&POII requirement +4yr experience in prob. & par., 3 yrs of which with Bd. of P&P, with 1 yr of this in super. or adm. capacity (B.A.+ 6 yr experience or M.A.+4 yr exper.)	43	694- 927 (Annual) 8,328- 11,124
Prob. & Par. Super- visor III (Chief State Supervisor)	42	5125	661- 835 (Annual) 7,932- 10,620	P&POII requirement +7 yr experience in prob. & par., 4 yr of which with the Bd. of P&P, & 2 of these 4 yr in major adminis- trative or supervisory capacity (B.A.+9yrs. exper., or M.A.+7yrs)	46	803- 1,075 (Annual) 9,636- 12,900

*-also Institutional Parole Officer Trainee ***-also Institutional Parole Senior Off.
-also Institutional Parole Officer **-also Inst. Parole Supervisor

TABLE IV

COMPARISON OF PROPOSED MINIMUM AND MAXIMUM SALARIES BY COMPARABLE CLASSIFICATION BETWEEN MISSOURI STATE AND MISSOURI METRO AREAS AND OTHER CENTRAL STATES

Proposed Missouri Classification	Schedule	States With Lower Beginning Salary		States With Higher Beginning Salary		States With Lower Top Salary		States With Higher Top Salary	
		State	Lower per month by	State	Higher per month by	State	Lower per month by	State	Higher per month by
Prob. & Par. Officer I (B.A.)	494-661	Iowa	\$34	S.D.	\$6	Iowa	\$11	Wisc.	\$47
		Kentucky	\$58	Minn.	\$75	S.D.	\$36	N.D.	\$139
		Ohio	\$57	Wisc.	\$49	Ky.	\$78	Mich.	\$81
		Kans.	\$58	N.D.	\$106	Ohio	\$63	Fed.	\$249
		Ind.	\$19	Mich.	\$98	Ind.	\$136		
		K.C.	\$56	St.L.C.	\$43	St.L.C.	\$33		
				Fed.	\$43	K.C.	\$102		
						Kans.	\$14		
Prob. & Par. Officer II (B.A. + 2 yrs.)	545-729	Iowa	\$85	S.D.	\$55	Iowa	\$79	Ohio	\$207
		Ind.	\$20	Ohio	\$148	S.D.	\$4	Minn.	\$194
		K.C.	\$13	Minn.	\$96	Ind.	\$4	Wisc.	\$99
				Wisc.	\$93	K.C.	\$50	Mich.	\$187
						Mich.	\$192	St. L.	\$42
				St.L.	\$116	Fed.	\$181		
				Fed.	\$96				
Prob. & Parole Supervisor I (B.A. + 4 yrs.)	630-843	Iowa	\$130	S.D.	\$70	Iowa	\$143	Ohio	\$189
		Ky.	\$100	Ohio	\$132	S.D.	\$18	Minn.	\$185
		Kans.	\$14	Minn.	\$92	Ky.	\$98	Wisc.	\$130
		Ind.	\$30	Wisc.	\$118	Kans.	\$55	Mich.	\$270
				Mich.	\$286	Ind.	\$68	St.L.C.	\$39
				St.L.C.	\$141	K.C.	\$66		
				K.C.	\$93				
Prob. & Parole Supervisor II (B.A. + 6 yrs.)	694-927	Ky.	\$51	Ohio	\$259	Ky.	\$21	Ohio	\$364
				Wisc.	\$119			Wisc.	\$126
				St.L.C.	\$270			St.L.C.	\$245
Prob. & Parole Supervisor III (B.A. + 9 yrs.)	803-1075	None		Ohio	\$221	None		Ohio	\$407
				Wisc.	\$85			Wisc.	\$78
				N.D.	\$108			Mich.	\$766
				Mich.	\$335				

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PROBATION AND PAROLE OFFICER I

Duties: This classification is the beginning level in the field of probation and parole, and is primarily a trainee position. The employee will be engaged in a prescribed two-year on-the-job training program. All work assignments will be under close supervision, and will be given as outlined in the Board's Training Manual, which is divided into the first six months period; then in quarterly periods for the remainder of the two years. The officer will begin with a limited and restricted workload of supervision and investigations for the court and for the Board of Probation and Parole, and by the end of the first year will be carrying a full caseload. Since the training period is designed to grow progressively more difficult and complex working toward a professional level for advancement into the probation and parole officer II classification, the employee is expected to acquire these necessary knowledge and skills in the field of probation and parole during this two-year in-service training period.

Required Knowledges, Skills and Abilities: Knowledge of the general principles of sociology, criminology, psychology, and human behavior. Ability to learn and integrate the causes of crime and modern methods of rehabilitation of the criminal offender. General knowledge of community resources to be used in working with the offender. General knowledge of the objectives of probation and parole and its legal aspects. Ability to acquire and effect treatment methods under close professional supervision. Ability to work cooperatively with local officials, social agencies, and the general public. Ability to function efficiently in working with the emotionally and socially disturbed person. Ability to write and speak effectively and keep case records.

Minimum Training Experience and Qualifications: Graduation from an accredited four-year college or university with specialization in sociology, psychology, criminology, education, or other social or behavioral sciences; OR the following equivalent combination of training and experience: 3 years college, plus 2 years full-time paid experience in probation and parole work, or 2 years college, plus four years full time paid experience in probation and parole work.

Salary Range: It is recommended that this position be allocated to range 36, \$494 to \$661. (Current range for Probation and Parole Officer I is 34, \$448 to \$600)

PROBATION AND PAROLE OFFICER II

Duties: The employee in this classification is in the professional journeyman level in the field of probation and parole. He is expected to perform a full range of assigned duties of investigations and supervision of cases for the courts and for the Board of Probation and Parole. His services are intended to bring about social, emotional and economic readjustment of the individuals within his caseload. He is expected to exercise considerable initiative and independent judgment in the performance of his duties, under limited supervision.

Required Knowledges, Skills and Abilities: Considerable knowledge of human behavior, attitudes, and motivations. Considerable knowledge of causes of crime and modern methods of rehabilitation of the criminal offender. Considerable knowledge of social resources operating in the community and the ability to utilize these resources to aid his client. Considerable knowledge of federal, state, and local laws and regulations, together with procedures relating to probation and parole, corrections, and criminal law. Ability to provide social treatment in accordance with the needs of his client. Ability to function effectively in working with the offender. Ability to write and speak effectively and maintain concise case records.

Minimum Training and Experience: Graduation from an accredited four-year college or university, with specialization in sociology, criminology, psychology, education or other closely related social or behavioral sciences, AND two years of responsible full time paid professional experience in probation and parole (adult or juvenile), guidance and counseling, correctional casework, social casework, social group work, vocational counseling and guidance, or teaching in at least a high school level of social or behavioral sciences courses,

OR

An equivalent combination of training and experience: up to two years of graduate training in social work, criminology, sociology, psychology, counseling and guidance or education may be substituted for the 2 years of responsible professional experience on a full year for year basis.

Salary Range: It is recommended that this position be allocated to range 38, \$545 to \$729. (Current range is 36, \$494 to \$661.)

PROBATION AND PAROLE OFFICER III

Duties: An employee in this classification is a highly responsible, independent probation and parole officer. He is authorized to speak and act with authority, representing the Board of Probation and Parole, in situations involving their clients, utilizing his own professional judgment and held individually responsible for his actions. A caseload is assumed without selection by a supervisor. Consultation or supervision is not immediately imposed, but is available at the request of this officer. While carrying a full workload of both investigations and supervision cases for the Board of Probation and Parole and the Circuit Courts, this employee will be responsible for the administration and supervision of a small district office containing less than six Probation and Parole Officers I and II. His workload will be in a ratio to these administrative and supervisory duties. He is accountable for this administration and supervision to the Supervisor II (Regional Administrator) as well as having certain training duties of Probation and Parole Officers I and II, as assigned by the Supervisor II.

Required Knowledge, Skills and Abilities: Thorough knowledge of social casework principles and methods. Thorough knowledge of community resources available in his district. Thorough knowledge of federal, state, and local laws, regulations and procedures relating to probation and parole, corrections, and criminal law. Thorough knowledge of the training, administrative and supervisory policies of the Board of Probation and Parole. Ability to provide skilled professional help to the individuals on his caseload. Ability to prepare a concise though comprehensive evaluation for the court and the Board of Probation and Parole. Ability to function effectively with the so-called "hard core" cases existing within the district. Ability to give limited supervision and training to Probation and Parole Officers I and II on the staff of the district.

Minimum Training and Experience Qualifications: Must meet the minimum requirements of training and experience for the Probation and Parole Officer II classification AND, in addition, have at least one full year of paid employment experience at this level, such employment being specifically in the field of probation and parole.

Salary Range: It is recommended that this position be allocated to salary range 39, \$572 to \$765. (This is a requested new classification not currently in the present salary ranges.)

PROBATION AND PAROLE SUPERVISOR I

Duties: An employee in this classification is responsible for the supervision of all staff, administration, and management of the work flow and productivity of a district office having six to ten Probation and Parole Officers I and II, together with a clerical complement. He is directly responsible to the Supervisor II (Regional Administrator) for any and all aspects of the work within the district; and by consultation, discussion, and reports, keep the Supervisor II informed at all times of the entire district operation. The employee in this category will devote approximately two-thirds to three-quarters of his time in the office, with the remainder being in the field. The duties of this employee fall into five major categories: supervision; administration; public relations; staff recruitment, development and training; and miscellaneous, which relates to duties assigned by Supervisor II and/or Supervisor III (Chief State Supervisor). Allotment of time to be devoted to these various categories is outlined in the position description as prescribed by the Board of Probation and Parole.

Required Knowledge, Skills and Abilities: Thorough knowledge of organizational function as related to administration, procedure and practice of the Board of Probation and Parole. Thorough knowledge of social casework principles and methods of supervision of employees in the field of probation and parole. Thorough knowledge of communities and the social, economic, health, and cultural problems and forces that affect a client's behavior within his district. Thorough knowledge of the community resources for care, service, and assistance which are available to his staff within his district. Thorough knowledge of the principles and practices of administration and management. Ability to assign, direct, and coordinate work programs of professional and clerical staff. Ability to carry out the standards of administrative, supervisory, consultive, and training responsibilities, as prescribed by the Board. Ability to establish and maintain effective working relationships between individuals and groups, both within the district office and within the community.

Minimum Training and Experience Qualifications: Must meet the minimum requirements of training and experience for the Probation and Parole Officer II classification AND, in addition, have at least two full years of full time paid employment experience at the Probation and Parole Officer II or Probation and Parole Officer III level. One year of this two year requirement must have been as an employee of the Board of Probation and Parole.

Salary Range: It is recommended that this position be allocated to range 41, \$630 to \$843. (Current range is 38, \$545 to \$729.)

SENIOR PROBATION AND PAROLE SUPERVISOR I

Duties: This classification is reserved for those district offices having a professional staff of eleven or more Probation and Parole Officers I, Probation and Parole Officers II, Probation and Parole Officers III, and one or more Probation and Parole Supervisors I, together with a clerical complement. An employee in this classification is primarily responsible for the administration and management of the office, and the supervision of the clerical complement. In addition, he will also have direct supervision over three to six professional staff members. He is directly responsible to the Supervisor II (Regional Administrator) for any and all aspects of the work within the district; and by consultation, discussion, and reports, keep the Supervisor II informed at all times of the entire district operation. The employee in this category will devote approximately two-thirds to three-quarters of his time in the office, with the remainder being in the field. The duties of this employee fall into five major categories: supervision; administration; public relations; staff recruitment, development and training; and miscellaneous, which relates to duties assigned by Supervisor II and/or Supervisor III (Chief State Supervisor). Allotment of time to be devoted to these various categories is outlined in the position description as prescribed by the Board of Probation and Parole.

Required Knowledges, Skills and Abilities: Thorough knowledge of organizational function as related to administration, procedure and practice of the Board of Probation and Parole. Thorough knowledge of social casework principles and methods of supervision of employees in the field of probation and parole. Thorough knowledge of the community resources for care, service, and assistance which are available to his staff within his district. Thorough knowledge of the principles and practices of administration and management. Ability to assign, direct, and coordinate work programs of professional and clerical staff. Ability to carry out the standards of administrative, supervisory, consultive, and training responsibilities, as prescribed by the Board. Ability to establish and maintain effective working relationships between individuals and groups, both within the district office and within the community.

Minimum Training and Experience Qualifications: Must meet the minimum requirements of training and experience for the Probation and Parole Officer II classification AND, in addition, have at least three years of full time paid employment experience at the Probation and Parole Officer II, Probation and Parole Officer III, or Probation and Parole Supervisor I level. Two years of this three year

requirement must have been as an employee of the Board of Probation and Parole.
Salary Range: It is recommended that this position be allocated to range 42, \$661 to \$885. (This is a requested new classification, not currently in the present salary ranges.)

PROBATION AND PAROLE SUPERVISOR II

Duties: An employee in this classification is responsible for the administration and management of all districts located within his region. In those districts within the region where there is no Supervisor I (District Supervisor) the Supervisor II (Regional Administrator) may delegate such duties and responsibilities to the Probation and Parole Officer III (Senior Officer) as he may from time to time deem advisable and appropriate. The Supervisor II, however, shall remain directly responsible for such district offices, and shall, in effect, function as the Supervisor I (District Supervisor) for those offices where no such position exists. The Supervisor II shall be principally concerned with the following areas of administration and management: (1) Maintenance of adequate standards of work performance and personal integrity of all employees within his region; (2) Full knowledge of work performance of all employees within his region; (3) Keep all staff within his region informed of Board policy, procedures and objectives, as detailed in the Field Manual and central office directives; (4) Promote the public image of the Board of Probation and Parole and its employees; (5) Promote and coordinate staff development, training and recruitment; (6) Submit recommendations to Supervisor III (Chief Supervisor) as to revisions, modifications and changes relating to standards of job performance, policy, procedure and objectives of the Board of Probation and Parole; (7) Advise the Supervisor III periodically as to major problems, deficiencies, and areas of concern affecting the job performance and over-all objectives of the region. He shall be directly responsible to the Supervisor III, and through consultations, discussions, and reports, keep the Supervisor III informed at all times as to any matters pertaining to his region.

Required Knowledges, Skills and Abilities: Extensive knowledge of the organization, functions, regulations, administrative procedure and practices of the Board of Probation and Parole. Extensive knowledge of social casework principles, methods, and techniques of supervision as are applicable to the work of the Board. Extensive knowledge of community resources, services and assistance which exist within his region. Thorough knowledge of administrative and management principles and practices as prescribed by the Board. Thorough knowledge of community, family, social, economic, health, and cultural problems and forces as they affect the clients within his region. Extensive knowledge of statutes governing the Board of Probation and Parole and related

departments. Ability to assign, direct, and coordinate work of professional and clerical staff. Ability to formulate, promote and encourage the establishment of additional community resources when needed to further the more effective work of the Board and its staff. Ability to evaluate diagnostic and prognostic material. Ability to carry out administrative, supervisory, consultive and training activities, as designated by the Board. Have demonstrated an ability to establish and maintain effective relationships with staff and with community groups and individuals.

Minimum Training and Experience Qualifications: Must meet the minimum requirements of training and experience for the Probation and Parole Officer II classification AND, in addition, have at least four years of full time paid experience at the Probation and Parole Officer II, Probation and Parole Officer III, Probation and Parole Supervisor I or Senior Probation and Parole Supervisor I level. Three years of this four year requirement must have been as an employee of the Board of Probation and Parole, and one year of these three years must have been in a responsible supervisory or administrative capacity.

Salary Range: It is recommended this position be allocated to salary range 43, \$694 to \$927. (Current range is 40, \$600 to \$803.)

PROBATION AND PAROLE SUPERVISOR III

Duties: An employee in this classification fills a highly responsible administrative position of a professional nature in directing, administering, and managing the total probation and parole operation within the State, both in field services and institutional programs. The employee in this classification is the chief administrative officer responsible to the Board for field and institutional services. The work involves the coordination of field staff devoted to serving the circuit courts in Missouri and investigation and supervision of probationers; and serving the State Board of Probation and Parole in investigation and supervision of parolees. This employee is responsible for the supervision and direction of institutional and parole programs carried out in all institutions within the jurisdiction of the Missouri Department of Corrections. The work involves four major categories: management and supervision; administration; public relations; and staff development and training.

Required Knowledges, Skills and Abilities: Full knowledge of laws, statutes, and regulations relating to the Division of Probation and Parole and related departments. Full knowledge of Board policy in relation to staff performance, procedures, and objectives. Extensive knowledge of methods and techniques for providing treatment services for the offender. Extensive knowledge of modern principles and methods of social casework, as they apply to the field of probation and parole. Ability to assign, direct, and coordinate work of supervisory personnel on a professional level in the field of probation and parole. Ability to interpret and describe Board of Probation and Parole programs and policies to supervisory staff. Ability to establish and maintain effective working relationship with staff members, public and private agencies, officials, institutions, and the general public.

Minimum Training and Experience Qualifications: Must meet the minimum requirements of training and experience for the Probation and Parole Officer II classification AND, in addition, have at least seven years of full time paid experience at the Probation and Parole Officer II, Probation and Parole Officer III, Probation and Parole Supervisor I, Senior Probation and Parole Supervisor I or Probation and Parole Supervisor II levels. Four years of this seven years must have been as an employee of the Board of Probation and Parole; and two years of these four years must have been in the special qualifications as below indicated:

Special Qualifications: (1) Have demonstrated an ability to perform administrative work and in a major supervisory capacity with a large metropolitan or regional parole area, including substantial responsibility in staff training, program development, community organization and public relations;

OR

(2) Responsible administrative and supervisory work in the direction of an institutional parole program providing professional direction to a substantial staff carrying on parole planning, evaluation and diagnostic work-ups for clients being considered for parole, together with major experience in staff training and public relations.

Salary Range: It is recommended that this position be allocated to salary range 46, \$803 to \$1,075. (Current range is 42, \$661 to \$885.)

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